

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GENLYTE THOMAS GROUP LLC,

Plaintiff/Counterclaim Defendant,
v.

ARCHITECTURAL LIGHTING SYSTEMS, a
division of ARCH LIGHTING GROUP,

Defendant/Counterclaimant.

Civil Action No. 05-CV-10945 REK

DEFENDANT'S STATEMENT OF UNDISPUTED FACTS

Pursuant to Local Rule 56.1, Defendant submits that the following facts are undisputed:

1. ALS manufactures and sells various models of lighting products for use in patient rooms under the name MulTMed. Declaration of Scott A. Davis ("Davis Decl.") ¶2, attached hereto as Exhibit 2.
2. The MulTMed products are intended to be installed on or in the ceiling of a patient room over the bed. Davis Decl. ¶4, Ex. A.
3. The MulTMed products include multiple fixtures to provide light for different types of functions necessary in patient rooms, including patient reading, ambient room lighting, and examination of a patient. Davis Decl. ¶4, Ex. A.
4. There are two principal models for the MulTMed product, 2x2 and 2x4. Davis Decl. ¶2
5. The MulTMed 2x4 product includes three fixtures, each having one or more lamps, which function as a reading light, an ambient light, and an examination light. Davis Decl. ¶¶4, 5.
6. The MulTMed 2x2 product include two fixtures, each having one or more lamps. The fixtures provide the same functions as in the MulTMed 2x4 product, but in various combinations,

including (1) a reading light and an ambient light; (2) an ambient light and an examination light.

Davis Decl. ¶¶4, 12, Ex. C.

7. For each of the models of the MulTMed product, there are a variety of options. Options include a nurse/chart light, lamp types, voltage levels, and mounting structures. Davis Decl. Ex. A.

8. The reading light function in all MulTMed products is provided by a single lamp in a fixture positioned one end of the product. The fixture and lamp are oriented parallel the end of the product. Typically, the product is installed with the end having the reading light fixture closest to the wall at the head of the patient bed. Davis Decl. ¶¶5-6, 13.

9. The reading light fixture provides general, undirected illumination to an area below the fixture. It provides a symmetrical light distribution. The greatest amount of light is emitted directly downward, with less light being emitted at angles moving towards the ceiling. Davis Decl. ¶¶10, 23, Ex. E.

10. The ambient light function for all MulTMed products is provided by two lamps in a fixture positioned at an end of the product opposite the reading light fixture. The fixture is substantially square. Davis Decl. ¶¶5-6, 14.

11. In the MulTMed 2x4 product, the two lamps in the ambient light fixture are parallel to each other and perpendicular to the ends of the product. In the MulTMed 2x2 product having an ambient light and an examination light, the ambient light lamps are positioned similarly to those in the MulTMed 2x4 product, parallel to the examination light lamps and separated from each other. In the MulTMed 2x2 product having a reading light and ambient light, the two lamps of the ambient light fixture are parallel to the reading light lamp and the ends of the product. Davis Decl. ¶¶5-6, 14, Ex. C.

12. All of the ambient light fixtures, regardless of the directionality of the lamps, produce general, undirected illumination to an area below the fixture. It provides a symmetrical light distribution. The greatest amount of light is emitted directly downward, with less light being emitted at angles moving towards the ceiling. Davis Decl. ¶¶10, 14, 24, Ex. F.

13. The examination light function in the MulTMed 2x4 product is provided by two fixture, each having two lamps, positioned along the sides of the product. The examination light function in the MulTMed 2x2 product also includes two fixtures, each having either one or two lamps, positioned along the sides of the product. Davis Decl. ¶¶6, 15.

14. The examination light fixtures provide two crossed beams of asymmetric light. The two beams create a symmetric distribution under the fixtures for shadow free illumination of the patient bed. Davis Decl. ¶¶8, 25.

15. Figs. 2, 3, and 4 below, from the Davis Declaration, illustrate photometric data for the reading light, ambient light and examination light, respectively, of a MulTMed 2x4 product. The MulTMed 2x2 products have the same fixtures and, thus, the same light distributions. Davis Decl. 21.

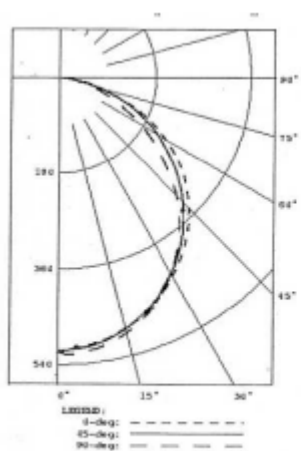


Figure 2

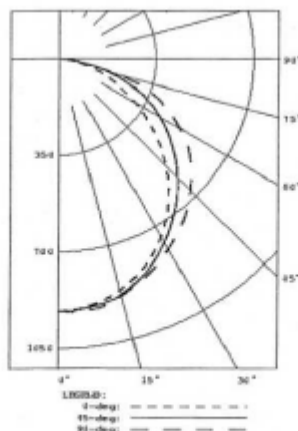


Figure 3

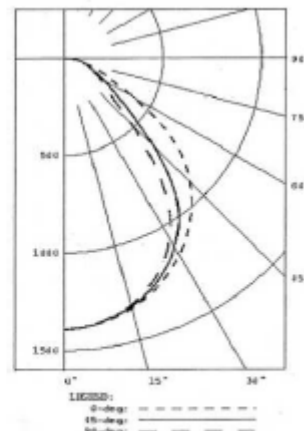


Figure 4

16. The photometric data shown in Figs. 1-4 represents the amount of light emitted from each fixture in various directions represented as graphs. Davis Decl. ¶¶21, 22.

17. Figure 2 shows the light distribution for the reading light. The amount of light is highest directly downward. The amount of light decreases as the angle towards the walls increases. The three directional data lines substantially overlap because light is distributed evenly throughout the room. Davis Decl. ¶23.

18. Figure 3 shows the light distribution for the ambient light. The amount of light from the ambient light is greater than that of the reading light at each location because there are two lamps in the fixture instead of one. However, the light distribution is essentially identical, i.e. it has the same shape. The highest level of light is directly downward. The amount of light decreases as the angle towards the walls increases. The three directional data lines substantially overlap because the light is distributed evenly throughout the room. Davis Decl ¶24.

19. Figure 4 shows the light distribution for the examination light. This light has the highest illumination levels because it uses the most lamps. It also has the least spread towards the walls. Most of the light is directed downwardly. Davis Decl. ¶25.

20. The distribution of light from the reading light fixture and ambient light fixture are virtually the same. The total amount of light from the ambient light fixture is greater than that of the reading light fixture because it has two lamps instead of one. Davis Decl. ¶10.

21. All of the fixtures in the MulTMed products aim light downward to a patient bed positioned under the product. None of the fixtures aims light towards the walls of the patient room. Davis Decl. ¶16.

22. The photometric data represented in Figures 2-4 above were obtained by Genlyte Thomas in tests done in February 2005 to determine whether the MulTMed products infringed U.S. Patent No. 5,038,254 (“the ‘254 Patent”). Davis Decl. ¶19.

23. In November 2004 Counsel for ALS informed counsel for Genlyte Thomas that the MulTMed products did not infringe the ‘254 Patent because they direct light downwards to the patient bed and no fixtures direct light to a wall. Davis Decl. ¶18.

Respectfully submitted,

Dated: November 1, 2006

s/ Brett N. Dorny
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on November 1, 2006.

s/ Brett N. Dorny
Brett N. Dorny

EXHIBIT 1

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GENLYTE THOMAS GROUP LLC,

Plaintiff/Counterclaim Defendant,
v.

ARCHITECTURAL LIGHTING SYSTEMS, a
division of ARCH LIGHTING GROUP,

Defendant/Counterclaimant.

Civil Action No. 05-CV-10945 REK

DECLARATION OF BRETT N. DORNY

I, Brett N. Dorny, hereby declare as follows:

1. I represent Defendant Arch Lighting Group, Inc. with respect to this matter. I submit this declaration in support of Plaintiff's Motion for Summary Judgment of Non-infringement and For Attorneys Fees. Unless indicated otherwise, all statements are made of my own knowledge.

2. Attached hereto as Exhibit A is a true and correct copy of U.S. Patent No. 5,038,254, the asserted patent in this case.

3. Attached hereto as Exhibit B is a true and correct copy of relevant portions of the transcript of the Markman Hearing in this case, held on June 30, 2006, including pages 1-9 and 30.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 1st day of November, 2006.

s/ Brett N. Dorny
Brett N. Dorny

EXHIBIT 1-A

United States Patent [19]

Fabbri et al.

[11] Patent Number: **5,038,254**[45] Date of Patent: **Aug. 6, 1991**[54] **INTEGRATED MEDICAL LIGHT SYSTEM**

[75] Inventors: William C. Fabbri, Billerica; Roy Crane, Wilmington, both of Mass.

[73] Assignee: Keene Corporation, Union, N.J.

[21] Appl. No.: 629,436

[22] Filed: Dec. 18, 1990

[51] Int. Cl.⁵ F21V 13/00

[52] U.S. Cl. 362/33; 362/225; 362/147; 362/804

[58] Field of Search 362/33, 225, 240, 364, 362/147, 804

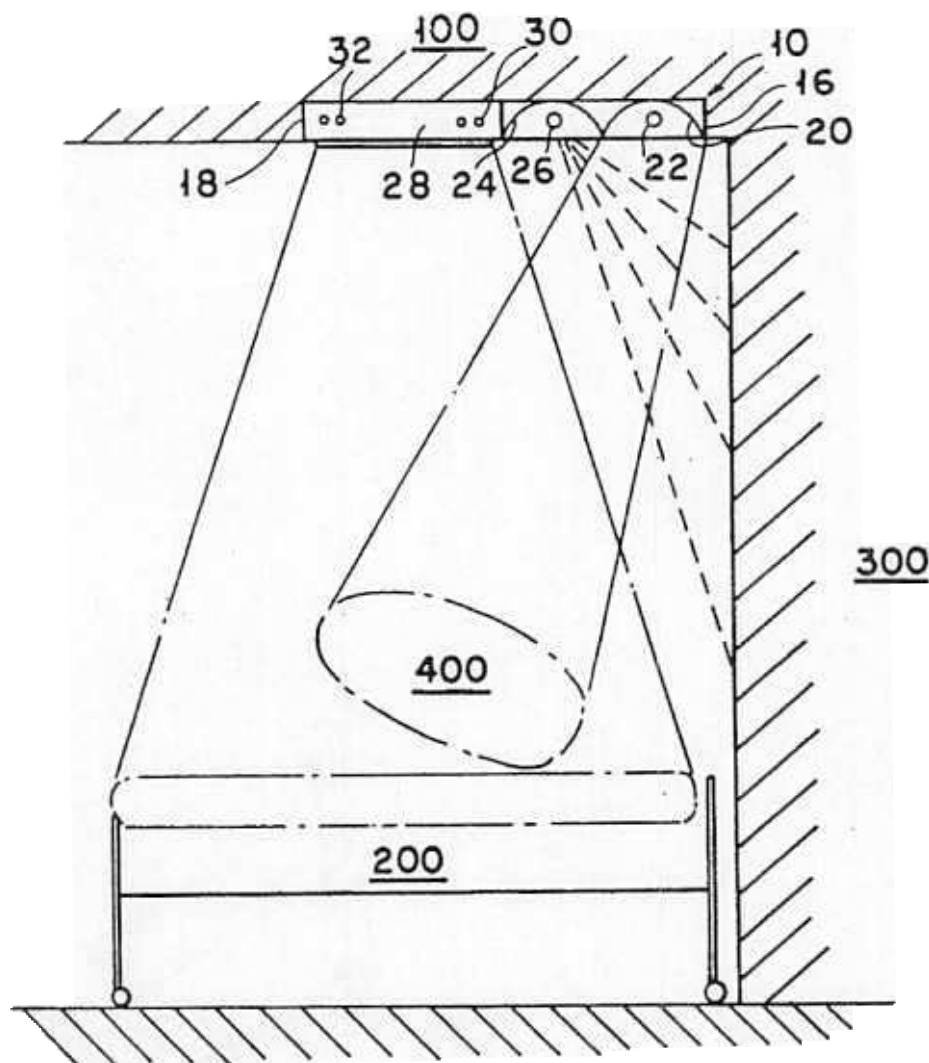
[56] **References Cited****U.S. PATENT DOCUMENTS**

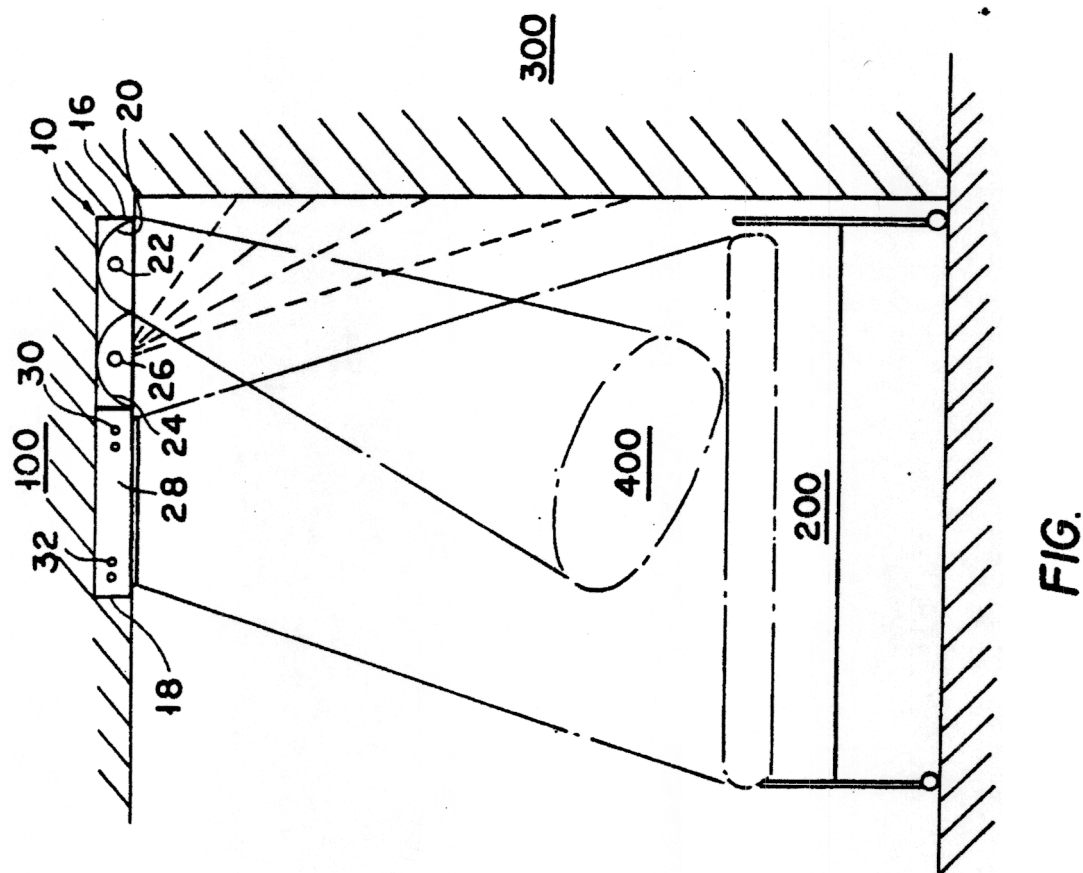
3,928,757 12/1975 Nelson 362/804 X

4,204,274 5/1980 Lüderitz 362/225 X

Primary Examiner—Stephen F. Husar*Attorney, Agent, or Firm*—Kane, Dalsimer, Sullivan, Kurucz, Levy, Eisele and Richard[57] **ABSTRACT**

The apparatus is a medical lighting system which includes a ceiling-mount reading light, examination light and ambient light. The reading light is directed toward a selected reading area on a hospital bed directly below the medical lighting system. The examination light illuminates the entire top surface of the hospital bed. The ambient light directs light to a wall abutting the head of the hospital bed thereby providing reflected light to the vicinity of the hospital bed.

14 Claims, 2 Drawing Sheets



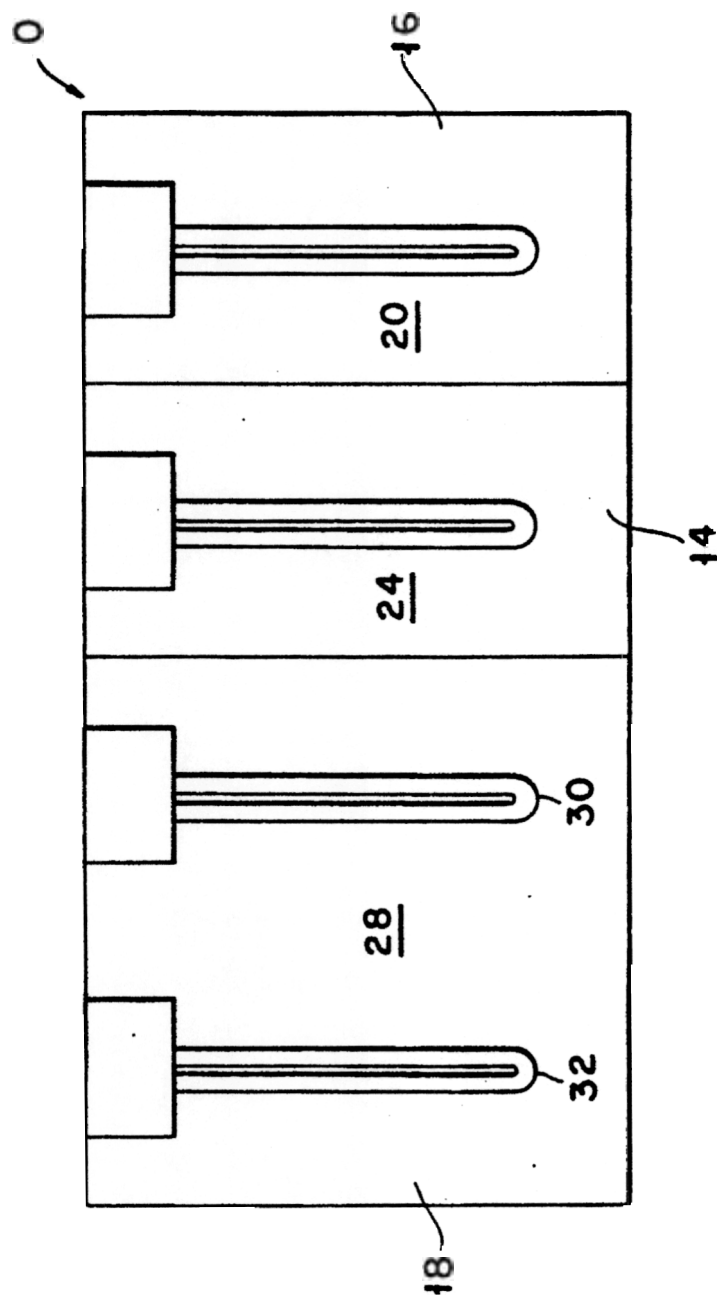


FIG. 2

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INTEGRATED MEDICAL LIGHT SYSTEM**BACKGROUND OF THE INVENTION****1. Field of the Invention**

This invention pertains to a light system for use in hospitals and health facilities. The light system includes an examination light, an ambient light, and a reading light and is preferably mounted in the ceiling.

2. Description of the Prior Art

In hospitals and similar health or medical facilities, it is desirable to provide the bedridden patient with three types of lights—the first is an ambient light which provides background, preferably reflected, light to a large area surrounding the bed; the second is a reading light which provides direct light to a portion of the patient's bed; and the third is an examination light which directs a high intensity light to substantially the entire area of the patient's bed. The ambient light typically has an illumination value of approximately 50 foot-candles while the reading light typically has an illumination value of approximately 70 foot-candles and the examination light typically has an illumination value of approximately 100 foot-candles.

In the prior art, these lights were typically provided individually in a haphazard way. Different types of lamps and light fixtures were placed around the bed with numerous plugs competing with medical equipment for available outlet space. Moreover, such an arrangement was unsightly and could impede the mobility of the patient, the patient's bed, or the surrounding medical equipment.

Wall-mounted fixtures alleviated some of the above-identified deficiencies but still left much to be desired aesthetically and, more importantly, could impede access to the patient, and were easily damaged by motor driven bed headboards.

OBJECTS AND SUMMARY OF THE INVENTION

It is therefore an object of this invention to provide an integrated medical lighting system which provides an ambient light with an illumination value of about 50 foot-candles over a wide area; a reading light with an illumination value of about 70 foot-candles over an area appropriate for a patient reading in bed; and an examination light with an illumination value of about 100 foot-candles over the entire area of the patient's bed.

It is therefore a further object of this invention to provide an integrated medical lighting system which requires no more than one or two electrical connections.

It is therefore a still further object of this invention to provide an integrated medical lighting system which does not impede access to the patient, the patient's bed, or surrounding medical equipment.

It is therefore a final object of this invention to provide an integrated medical lighting system which is aesthetically pleasing.

These and other objects are effectively attained by providing a ceiling-mounted medical lighting system which includes three individual dedicated light fixtures. The lighting system is rectangular and is designed to be placed so that one of the shorter ends of the rectangle is placed substantially on the ceiling-wall interface directly over the head of the patient's bed. The bed is

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placed so that the longer sides of the bed are parallel to the longer sides of the rectangular light fixture.

A first light fixture includes a fluorescent bulb and a reflector designed to direct light toward the forward portion of the patient's bed so as to allow a patient to read comfortably. A second light fixture includes a fluorescent bulb and a reflector designed to direct light toward a vertical wall abutting the head of the patient's bed so as to provide a reflected light over a large area around the patient's bed. A third light fixture includes two to four fluorescent (preferably biax® or other U-shaped) bulbs which are oriented perpendicularly to the bed. The fluorescent bulbs have a light distribution pattern which is substantially oriented in the direction perpendicular to the bulb. Therefore, the entire area of the bed is efficiently illuminated providing an examination light.

BRIEF DESCRIPTION OF THE DRAWINGS

Further objects and advantages of the invention will become apparent from the following description and claims, and from the accompanying drawings, wherein:

FIG. 1 is a side plan view of the integrated medical light system of the present invention.

FIG. 2 is a bottom plan view of the integrated medical light system of the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Referring now to the drawings in detail wherein like numerals indicate like elements throughout the several views, FIG. 1 is a side plan view of lighting fixture 10 shown installed in ceiling 100 directly over bed 200. FIG. 2 shows the rectangular shape of lighting fixture 10 formed by long sides 12, 14 and short sides 16, 18. Long sides 12, 14 are typically four feet in length while short sides 16, 18 are typically two feet in length. As shown in FIG. 1, short side 16 abuts the wall-ceiling (300, 100, respectively) interface directly over the head of bed 200. Long sides 12, 14 are parallel to the longer side of bed 200.

Reading light reflector 20 is along short side 16 of lighting fixture 10 proximate to wall 300 and includes a fluorescent bulb 22 positioned therewithin parallel to short sides 16, 18 of lighting fixture 10 so as to provide a direct light to reading area 400 of bed 200 as shown on FIG. 1. Reflector 20 and bulb 22 are chosen to provide an illumination of approximately 70 foot-candles to reading area 400.

Ambient light reflector 24 is inwardly adjacent to reading light reflector 20 and includes a fluorescent bulb 26 positioned therewithin parallel to short sides 16, 18 of lighting fixture 10 so as to reflect or bounce light from wall 300 thereby providing ambient light to bed 200. Reflector 24 and bulb 26 are chosen to provide approximately 50 foot-candles of illumination to the ambient area.

Reflectors 20, 24 and bulbs 22, 26 are configured so as not to direct glare toward the head of bed 200 where the patient's head is likely to be, whether in a supine or sitting position. Similarly, reflectors 20, 24 and bulbs 22, 26 are configured so as not to direct glare to areas adjacent to bed 200 so as to allow other beds (not shown) to be placed proximate thereto without undue disturbance of neighboring patients.

Examination light reflector 28 is outwardly adjacent to ambient light reflector 24, includes short side 18 and is opposite from reading light reflector 20. Examination

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light reflector 28 includes two to four fluorescent bulbs 30, 32. Fluorescent bulbs 30, 32 (preferably biac® or other U-shaped) are parallel to short sides 16, 18 of lighting fixture 10. As fluorescent bulbs 30, 32 have a characteristic directional light distribution pattern oriented in the direction perpendicular to the bulbs, the entire area of the bed 200 is efficiently illuminated. The bulbs 30, 32 and reflector 28 are chosen to provide 100 foot-candles of illumination to the bed 200. An important feature of the present invention resides in the orientation of the lamps within the lighting 1 fixture which permits the lighting fixture 10 to be packaged in a two foot by four foot configuration and thereby replace a conventional troffer.

Bulbs 22, 26, 30 and 32 are powered by a single electrical source, preferably supplied from wiring within ceiling 100 although the use of a single electric cord (not shown) engaging an electrical socket (not shown) may be used. A single switch module (not shown), either hand-held or built into wall 300, is used to control bulbs 22 and 26 and a wall switch to control bulbs 30 and 32.

To use this device, the patient operates the switch module (not shown) to operate selectively bulbs 22 and 26. Medical personnel control bulbs 30 and 32 of the examination lighting from a switch on the headwall, not easily accessible to the patient.

Thus the several aforementioned objects and advantages are most effectively attained. Although a single preferred embodiment of the invention has been disclosed and described in detail herein, it should be understood that this invention is in no sense limited thereby and its scope is to be determined by that of the appended claims.

What is claimed is:

1. A medical lighting system comprising:
 - a body;
 - means for ceiling-mounting said body;
 - a first light fixture within said body oriented to direct light downwardly to a selected reading area under said body;
 - a second light fixture within said body oriented to direct light downwardly and outwardly to a vertical wall surface outwardly adjacent from said body whereby light is reflected back to a broad area under said body.
2. The medical lighting system of claim 1 wherein said first light fixture includes a first reflector and a first fluorescent bulb therewithin; and said second light fixture includes a second reflector and a second fluorescent bulb therewithin.
3. A medical lighting system comprising:
 - a body;
 - means for ceiling-mounting said body;
 - a first light fixture within said body oriented to direct light downwardly to a selected reading area under said body;
 - a second light fixture within said body oriented to direct light downwardly and outwardly to a vertical wall surface outwardly adjacent from said body whereby light is reflected back to a broad area under said body;

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a third light fixture within said body oriented to direct light downwardly under said body to a selected patient examination area.

4. The medical lighting system of claim 3 wherein said first light fixture includes a first reflector and a first fluorescent bulb therewithin; said second light fixture includes a second reflector and a second fluorescent bulb therewithin; and said third light fixture includes a third reflector and a fluorescent assembly therewithin.

5. The medical lighting system of claim 4 wherein said fluorescent assembly includes at least one fluorescent bulb with a light distribution pattern oriented in a direction perpendicular to said at least one fluorescent bulb.

6. The medical lighting system of claim 5 wherein said at least one fluorescent bulb is a "biac"-type bulb.

7. The medical lighting system of claim 5 wherein said fluorescent assembly includes at least two fluorescent bulbs with a light distribution pattern oriented in a direction perpendicular to said at least two fluorescent bulbs.

8. The medical lighting system of claim 7 wherein said at least two fluorescent bulbs are "biac"-type bulbs.

9. The medical lighting system of claim 5 wherein said body is rectangular and a first shorter end of said body is designed to abut the vertical wall surface; wherein said first fluorescent light fixture abuts said first shorter end and said first fluorescent light bulb is parallel to said first shorter end; wherein said second fluorescent light fixture is inwardly adjacent to said first fluorescent light fixture and said second fluorescent light fixture is parallel to first shorter end; and wherein said third fluorescent light fixture is outwardly adjacent from said second fluorescent light fixture and abuts a second shorter end of said body; and wherein said at least one fluorescent bulb is parallel to said first shorter end.

10. The medical lighting system of claim 9 wherein said first and second shorter ends are substantially two feet in length and said body includes first and second longer ends which are substantially four feet in length.

11. The medical lighting system of claim 9 wherein said first light fixture illuminates said selected reading area to substantially 70 foot-candles; wherein said second light fixture illuminates said broad area to substantially 50 foot-candles; and wherein said third light fixture illuminates said patient examination area to substantially 100 foot-candles.

12. The medical lighting system of claim 11 wherein said patient examination area is sufficient in size to include a standard hospital bed when said first light fixture is substantially directly over a head of the standard hospital bed, the head of the standard hospital bed substantially abutting the vertical wall surface.

13. The medical lighting system of claim 3 wherein a distribution of light from said first and second light fixtures excludes glare from being directed to a forward area of a standard hospital bed placed below the medical lighting system.

14. The medical lighting system of claim 3 wherein a distribution of light from said first and second light fixtures excludes glare from areas adjacent to a standard hospital bed placed below the medical lighting system.

* * * * *

EXHIBIT 1-B

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action
No. 05-10945-WGY

* * * * *

GENLYTE THOMAS GROUP LLC,

Plaintiff/Counterclaim Defendant,

v.

ARCHITECTURAL LIGHTING SYSTEMS,
a division of ARCH LIGHTING GROUP,

Defendant/Counterclaimant.

* * * * *

MARKMAN HEARING

BEFORE: The Honorable William G. Young,
District Judge

APPEARANCES:

CESARI and MCKENNA, LLP (By Kevin Gannon,
Esq.), 88 Black Falcon Avenue, Boston,
Massachusetts 02210

- and -

MIDDLETON REUTLINGER (By James R. Higgins,
Jr., Esq.), 2500 Brown & Williamson Tower,
Louisville, Kentucky 40202-3410, on behalf of the
Plaintiff/Counterclaim Defendant

LAW OFFICE OF BRETT N. DORNY (By Brett N.
Dorny, Esq.), 386 West Main Street, Suite 12A,
Northborough, Massachusetts 01532, on behalf of
Defendant/Counterclaimant

1 Courthouse Way
Boston, Massachusetts

June 30, 2006

1 THE CLERK: All rise. This Court is now in
2 session. You may be seated.

3 This is Civil Action No. 05-10945, Genlyte Thomas
4 Group, LLC v. Architectural Lighting Systems.

5 Will the parties please stand and state their names
6 for the Court.

7 MR. GANNON: Good morning, your Honor. Kevin
8 Gannon, Cesari & McKenna, for Genlyte Thomas Group. And
9 with me is Jim Higgins from Middleton Reutlinger.

10 MR. HIGGINS: Good morning, your Honor.

11 THE COURT: Good morning.

12 MR. DORNY: Brett Dorny for the defendant, Arch
13 Lighting Systems.

14 THE COURT: Well, good morning and thank you for
15 attending on this session of the Court.

16 I have a question to begin, and maybe I either
17 misheard or I didn't follow this out. Counsel for Genlyte
18 was kind enough to make mention of a case apparently
19 involving it but some other party in the Northern District
20 of Ohio -- Illinois. Have I got that right?

21 MR. HIGGINS: Yes, sir.

22 THE COURT: And in that case the chief out there
23 held a Markman hearing.

24 MR. HIGGINS: Correct, your Honor.

25 THE COURT: And some of these same terms were

1 construed.

2 MR. HIGGINS: Also correct.

3 THE COURT: Well, all right, then I'm, then I'm
4 hearing right.

5 Have you got something that tells me what he did?

6 MR. HIGGINS: I have a copy of his opinion and I
7 thought that we had tendered that to the Court. But --

8 THE COURT: I don't say you have not. I'm just
9 always transparent. I haven't read it. So why don't you
10 hand up a copy so I can take a look at it.

11 MR. HIGGINS: I have a copy. I do want to make
12 note that there are some highlightings on there that are
13 mine.

14 THE COURT: I have no problem with that. I mean,
15 we'll show it to other --

16 MR. DORNY: I have no problem with your
17 highlightings.

18 THE COURT: Yes.

19 MR. HIGGINS: Very well.

20 THE COURT: Okay.

21 MR. HIGGINS: Yes. And, your Honor, we also have
22 some materials that we may refer to during the hearing
23 today. I would like to hand those up at an appropriate time
24 as well.

25 THE COURT: Why don't you do it right now.

1 MR. HIGGINS: Very well, sir.

2 This is a copy of Judge Castillo's opinion from the
3 United States District Court for the Northern District of
4 Illinois Eastern Division. And here are two copies of our
5 Markman materials. I've given a copy to counsel.

6 THE COURT: Fine.

7 All right. Well, as I understand this, and you
8 people have been very helpful, we've got three potential
9 terms to construe this morning. I want to skip for the
10 moment the reference to means for ceiling-mounting said
11 body, and instead I want to jump to the term oriented to
12 direct light. And I see the proposed terms here.

13 Let me -- well, let me ask this. Is that term,
14 these specific oriented to direct light, is that construed
15 in Judge Castillo's opinion, and if so, where?

16 MR. HIGGINS: Yes, your Honor, it is construed. I
17 may have highlighted it. If you'll hand it back to me I can
18 find it quickly.

19 THE COURT: Yes, that's the fastest way.

20 (Pause in proceedings.)

21 MR. HIGGINS: Your Honor, may I show it to counsel
22 first and then you?

23 THE COURT: Sure.

24 (Whereupon counsel conferred.)

25 MR. DORNY: That's fine. That's one of several

1 different places where he construes that term.

2 THE COURT: But doesn't he do it the same way each
3 time?

4 MR. HIGGINS: Yes.

5 MR. DORNY: Yes.

6 THE COURT: You both agree to that. All right.

7 MR. HIGGINS: Right.

8 THE COURT: Yes. Then let me see one.

9 MR. HIGGINS: It's the top paragraph on Page 19,
10 your Honor.

11 THE COURT: Thank you.

12 Well, this actually covers both. Because if I look
13 at claim 1 here the first reference is oriented to direct
14 light downwardly, and the second reference is oriented to
15 direct light downwardly and outwardly, and downwardly and
16 outwardly is one of the things that you've asked to have
17 construed. And he comes up with to set or arrange to direct
18 more light in a downward and outward direction than in an
19 upward direction.

20 And you're okay with that? Genlyte's okay with
21 that, in this proceeding?

22 MR. HIGGINS: That is correct, your Honor.

23 THE COURT: And you're not. And you're not in any
24 way bound. Or are you? Are you fine with that?

25 MR. DORNY: I think that there needs to be some

1 clarification in terms of what the claims talk about.

2 THE COURT: I'll hear you.

3 MR. DORNY: And specifically, with regard to the
4 downward and outward, or downwardly and outwardly as
5 referring to two directions it appears there, I believe the
6 claim refers to a single downward and outward direction to a
7 wall, which is not discussed in that decision, your Honor.
8 It is the part of the claim that refers to what I call the
9 target area for the light. So the light says in the claim
10 oriented to direct light downwardly to a reading area, or
11 downwardly and outwardly to a wall adjacent to --

12 THE COURT: Yes.

13 MR. DORNY: -- the, to the fixture. That structure
14 is not discussed in that there's a direction as well as a
15 target.

16 THE COURT: But where they have a target it states
17 it. It states, and the words seem plain, it's either going
18 to direct the light downwardly to a selected reading area
19 or, and then, not or, there's a --

20 MR. DORNY: A semicolon.

21 THE COURT: -- semicolon, a second light feature --
22 fixture, oriented to direct the light downwardly and
23 outwardly to a vertical wall surface.

24 I don't have to -- that seems obvious to me. One
25 is the reading area and one's a vertical light surface.

1 MR. DORNY: Right.

2 THE COURT: My only -- I don't have a quarrel with
3 Judge Castillo. This all looks very -- well, then what's,
4 what's the matter with his construction of these terms in
5 this context? Oriented to -- it means to set or arrange to
6 direct more light in a downward and outward direction than
7 in an upward direction.

8 MR. DORNY: As long as your Honor understands, I
9 think that the issue I had with the way that Judge Castillo
10 had worded that was light going downward from the fixture
11 will actually not hit the wall. So saying it's going
12 downward and outward versus upward is the one concern I had
13 with that. As long as you're going downward and outward,
14 which I think your Honor understands that hits the wall, I
15 have no problem with that language at all.

16 THE COURT: Well, this is, this is a jury claim.

17 MR. DORNY: Right.

18 THE COURT: So we have to understand it, and I
19 think the best way to understand it is with reference to the
20 points on a compass. To me if this is a compass, or the
21 degrees of a circle are arranged vertically, downward is
22 anything more than between 90 degrees and 270 degrees.
23 That's downward. Between 270 degrees and 90 degrees is
24 upward. And on those specific degrees it might be outward,
25 but it's not downward. So I've heard --

1 MR. DORNY: I have a problem with more light
2 upward --

3 THE COURT: Outward means -- I'm just giving you
4 my -- in case we have to get into this with a jury. Outward
5 is anything other than 180 degrees. But the whole idea is
6 to have it hit a wall, at least in that phraseology, so that
7 it reflects back more broadly, where the first fixture is
8 directed at your reading surface, the newspaper, the book.

9 MR. DORNY: That's fine, your Honor. I have no
10 problem with the difference being -- the only difference
11 then between what he said and what defendant had put forth
12 was more light versus highest intensity light. And I have
13 no problem with more light. I think that those are
14 equivalent statements.

15 THE COURT: They're content with that.

16 I have to -- I don't quarrel with Judge Castillo
17 and it's good to stick with defined rather than have various
18 constructions in various cases. I do want to explain, since
19 he, it's somewhat tautological, he uses the same words where
20 I thought you were supposed to substitute a word. I
21 construe the word direct in this context as equivalent to
22 aim. And if there's any problem with the jury, I'll explain
23 it. It's set or arrange to aim more light. And then
24 downward and outward is, the way I would say, a direction
25 below and away. But I've defined it in terms of actual

1 degrees and that seems to be logical. I'm going to stick
2 with Judge Castillo's construction now of these terms with
3 which you're all content, but if the jury has any confusion,
4 I will amplify as I just said.

5 Any problem with any of that? We'll start with
6 Genlyte.

7 MR. HIGGINS: So far no, your Honor. Except I
8 would, in the materials I would ask you to absorb slide 26.

9 THE COURT: Thank you. Just a moment. I have it.

10 MR. HIGGINS: This addresses your degrees on a
11 compass discussion that you had a moment ago.

12 THE COURT: It does, indeed.

13 MR. HIGGINS: And this is supported by the
14 statement of our expert, Mr. Lemons, who has a declaration.

15 THE COURT: But it's too detailed. You didn't say
16 that.

17 MR. HIGGINS: Right.

18 THE COURT: Where you say downward -- the first
19 time you use it it's downwardly. So, downward is different
20 than upward. And now we're really talking about broad on
21 the beam or something, you know. Three points half the
22 starboard bow. We're not getting into any of that stuff.
23 Down is different than up. Out is different than vertical.

24 MR. HIGGINS: We don't disagree with that.

25 THE COURT: Fine. I'm not getting any more

C E R T I F I C A T E

I, Donald E. Womack, Official Court Reporter for the United States District Court for the District of Massachusetts, do hereby certify that the foregoing pages are a true and accurate transcription of my shorthand notes taken in the aforementioned matter to the best of my skill and ability.

DONALD E. WOMACK
Official Court Reporter
P.O. Box 51062
Boston, Massachusetts 02205-1062
womack@megatran.com

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GENLYTE THOMAS GROUP LLC,

Plaintiff/Counterclaim Defendant,
v.

ARCHITECTURAL LIGHTING SYSTEMS, a
division of ARCH LIGHTING GROUP INC.,

Defendant/Counterclaimant.

Civil Action No. 05-CV-10945 REK

DECLARATION OF SCOTT A. DAVIS

I, Scott A. Davis, hereby declare as follows:

1. I am president of Defendant Arch Lighting Group, Inc. ("ALS"). I make this declaration in support of Plaintiff's Motion for Summary Judgment of Noninfringement And For Attorneys Fees. Unless indicated otherwise, all statements are made from my personal knowledge.

2. I designed and am familiar with ALS's MulTMed products which Plaintiff alleges infringe U.S. Patent No. 5,038,254 ("the '254 Patent"). There are two principal models for the MulTMed products – 2x2 and 2x4 – which correspond to the size of the fixture. A number of options are available for each model. Options include lamp types, input voltage levels, ballast types, and mounting structures.

3. Attached hereto as Exhibits A, B and C, respectively, are a marketing brochure for the MulTMed products, a specification sheet for the 2x4 MulTMed product, and a specification sheet for the 2x2 MulTMed product. These exhibits illustrate the design and operation of the MulTMed products.

4. The MulTMed products are light fixtures for use in rooms of medical patients. They are intended to be positioned in or on the ceiling above a patient bed in order to provide light for different types of functions necessary in a patient room. The MulTMed products include multiple fixtures and lamps which can be operated independently in order to provide lighting for these functions. The functions include: ambient lighting for the room, lighting for a patient in the bed to read, lighting on the bed for medical personnel to examine the patient, and light for a nurse to review a chart in a darkened room.

5. The functionality of the lamps for the 2x4 MulTMed product are illustrated in Figure 1 below, which is from the specification sheet, Exhibit 2. Figure 1 includes views of the 2x4 MulTMed fixture from below, from the side, from the end, and as perspective. I have labeled the various lights as to their functions.

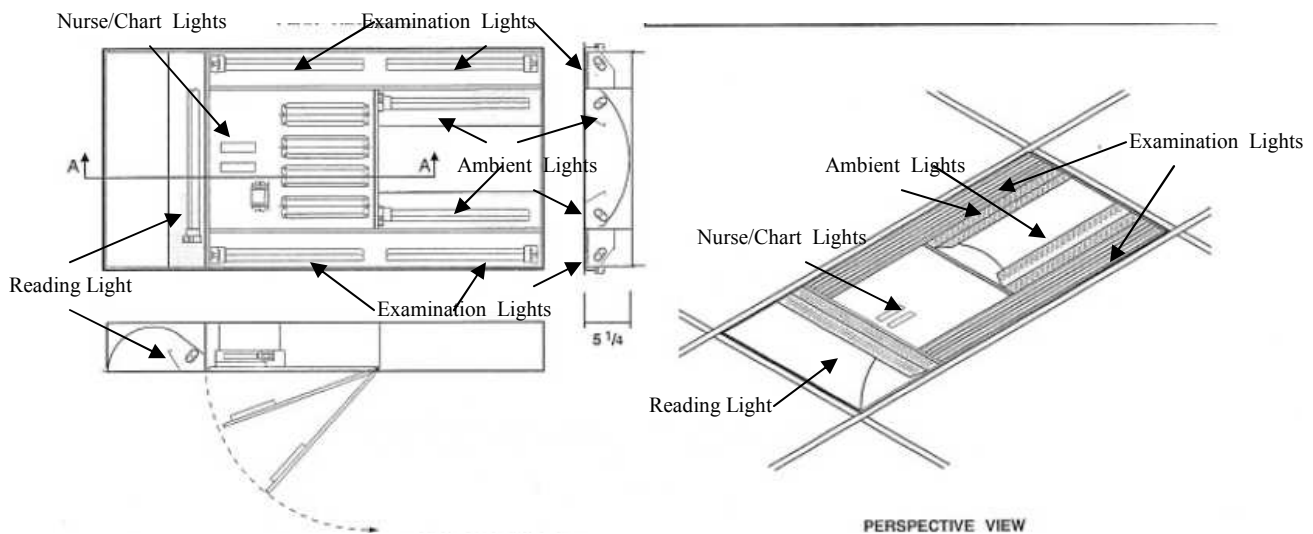


Figure 1

6. As illustrated in Figure 1, the reading light function is performed by a single lamp in a fixture positioned at and parallel to one end of the product. The ambient light function is performed by two lamps in a fixture positioned at and perpendicular to the other end of the product. The examination light function is performed by four lamps in two fixtures positioned

along each side of the product. The nurse/chart light function is performed by one lamp directed through two slots positioned within a central portion of the product.

7. The fixtures of the 2x4 MulTMed product includes diffuse reflective surfaces and diffusers in front of the lamps to provide general, diffuse lighting for each of the lighting functions.

8. The examination light is provided by two crossed beams of asymmetric light, from the four lamps, to ensure shadow-free illumination on the bed. The nature of the light beams is illustrated in the photometry figures on the second page of Exhibit 2.

9. The nurse/chart light provides focused beams of light on both sides of the patient bed. The nature of the light beams is illustrated in the photometry figures on the second page of Exhibit 2.

10. Both the reading light and ambient light provide general, undirected illumination to the area below the fixture. The ambient light, which uses two lamps, has a higher level of illumination. The reading light is positioned towards, and primarily illuminates, the head of the patient bed. The ambient light is positioned slightly further away from the head of the bed to provide more general lighting. Otherwise, the two lights have virtually the same illumination patterns.

11. The 2x4 MulTMed product is provided with or without the nurse/chart light.

12. The 2x2 MulTMed product is available with various combinations of lights, as illustrated in Exhibit 3. Style D includes a reading light and ambient light. Style E includes an ambient light and a examination light. Style F includes a reading light and nurse/chart light.

13. The reading light in any style of the 2x2 model MulTMed product is identical to that of the 2x4 reading light. It includes a single lamp in a fixture positioned at and parallel to one end of the product.

14. As with the 2x4 MulTMed product, the ambient light in the 2x2 MulTMed product includes two parallel lamps. In the reading/ambient style product, the ambient two lamps are parallel to the lamp of the reading light. In the examination/ambient style product, the two ambient lamps are parallel to the examination lamps. Both lamp orientations produce essentially the same symmetric light distribution.

15. The examination light in the 2x2 MulTMed product may have either two or four lamps. As with the 2x4 MulTMed product, the lamps are positioned along the sides of the product to provide two crossed beams.

16. All of the fixtures of the MulTMed products distribute light throughout a room. Most of the light from the fixtures is directed downward to a patient bed positioned under the product. No lights are aimed at the walls of the room. Of course, due to the essential nature of light, some light from any of the fixtures in the MulTMed products will illuminate all areas of the room to varying degrees.

17. In September 2004, ALS received a letter from an attorney for Genlyte Thomas Group LLC ("Genlyte Thomas"). The letter asserted that the ALS MulTMed product infringed the '254 Patent.

18. On November 8, 2004, ALS's attorney, Elliot A. Salter, responded to the infringement allegation. A copy of his letter to Genlyte Thomas' counsel is attached as Exhibit D. Specifically, Mr. Salter indicated that the fixtures in the MulTMed products all direct light

downward towards the patient's bed. No fixtures direct light downward and outward to a vertical wall surface.

19. In January 2005, prior to the filing of the Complaint in this action, at the request of Genlyte Thomas, ALS provided one of its 2x4 MulTMed products for photometric testing. In February 2005, Genlyte Thomas provided the results of the testing. Exhibits E, F, and G are copies of the test results sent to ALS by Genlyte Thomas for the reading light, ambient light and examination light, respectively, of the 2x4 MulTMed product.

20. The light distributions for the fixtures of the MulTMed product determined by Genlyte Thomas, as shown in the provided test results, corresponded to my understanding of the light distributions based upon the design of the product.

21. The testing done by Genlyte Thomas was standard for determining operation of a light fixture. It measured the amount of light output by the fixture at different locations relative to the center of the fixture. The results of the testing are presented in tabular and graphic form. Figures 2, 3, and 4 below are the graphic form of the test data for the reading, ambient and examination lights, respectively, for the 2x4 MulTMed product.

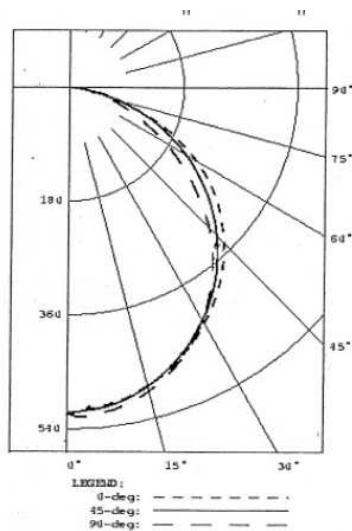


Figure 2

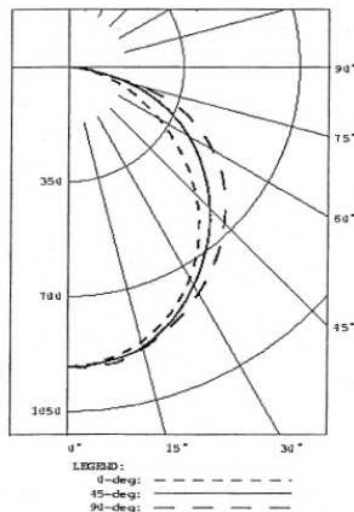


Figure 3

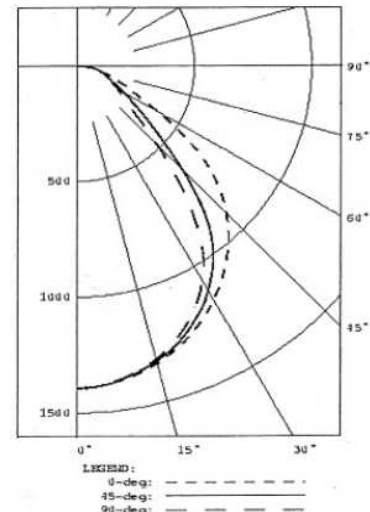


Figure 4

22. The center of the axes in the graphs represents the location of the light fixture. The distance of the data line from the center of the axes represent the amount of light at that location. The further the distance, the more light which is provided at that location. The graphs show angles from 0° (straight down) to 90° (straight out). Only one side of the graph is shown because the distributions are symmetrical; the other side is a mirror image. There are three data lines on each graph. The three data lines represent the data at 0° (along the length of the MulTMed product), at 90° (across the width of the MulTMed product), and at 45°.

23. Figure 2 shows the light distribution for the reading light. The amount of light is highest directly downward. The amount of light decreases as the angle towards the walls increases. The three directional data lines substantially overlap because light is distributed evenly throughout the room.

24. Figure 3 shows the light distribution for the ambient light. The amount of light from the ambient light is greater than that of the reading light at each location because there are two lamps in the fixture instead of one. However, the light distribution is essentially identical, i.e. it has the same shape. The highest level of light is directly downward. The amount of light decreases as the angle towards the walls increases. The three directional data lines substantially overlap because the light is distributed evenly throughout the room.

25. Figure 4 shows the light distribution for the examination light. This light has the highest illumination levels because it uses the most lamps. It also has the least spread towards the walls. Most of the light is directed downwardly.

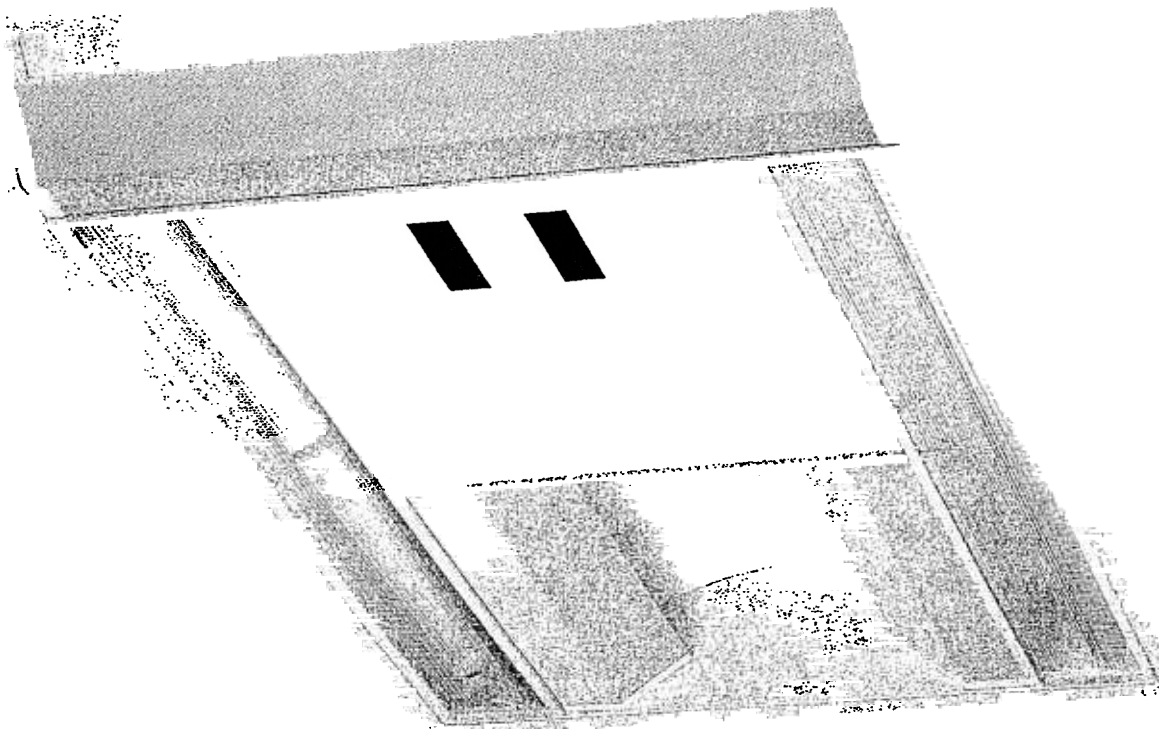
I declare under penalty of perjury that the foregoing is true and correct. Executed this 31st day of October, 2006.

s/ Scott A. Davis
Scott A. Davis

EXHIBIT 2-A

MULTIMED

MULTI FUNCTION PATIENT BEDLIGHT



ALS0300

We bring ARCHITECTURE to LIGHT!





MULTMED

MULTI FUNCTION PATIENT BEDLIGHT

The MULTMED brings a new dimension of performance, versatility and styling to ceiling mounted patient bed lighting. Four high-performance functions including examination, reading, ambient and night/chart lighting are all incorporated into a single unit that mounts unobtrusively over the bed, leaving valuable head-wall space available for other equipment.

The MULTMED is designed to minimize installation and service time. All models utilize a single lamp type (excluding nurse light), all lamps are easily accessed with one-touch diffuser removal, and all ballasts and switching gear are accessible from the room side within a single centrally located electrical cabinet.

The MULTMED system includes numerous configurations in both 2x2 and 2x4 sizes to suit virtually any application.



High-Level Lighting

With all lamps illuminated, sufficient glare-free lighting is provided to suit most demanding visual tasks.



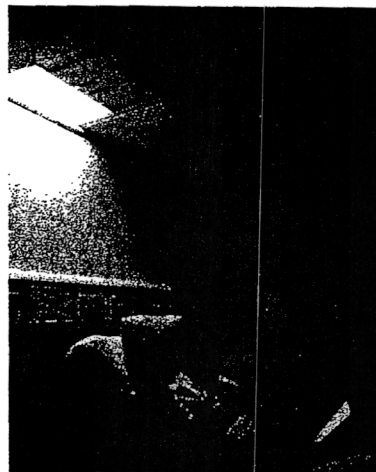
Examination Light

Two crossed beams of asymmetric light ensure shadow-free illumination over the length of the bed, even when the doctor is leaning over the patient.



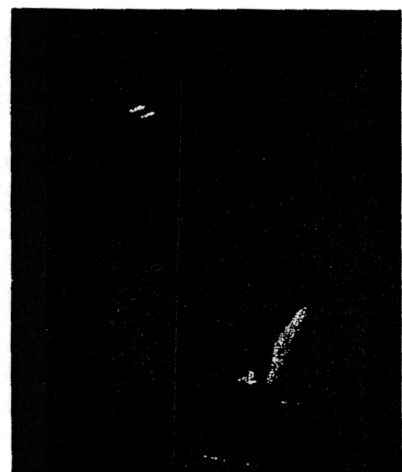
Ambient Light

Provides soft glare-free general illumination while shielding any view of the lamps from either the staff, visitor or patient's perspective.



Reading Light

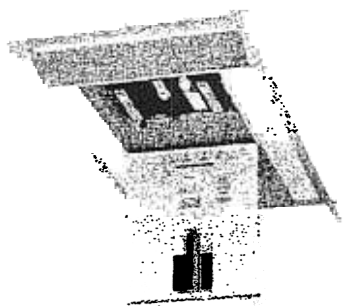
A combination of direct light from the fixture along with reflected light from the head wall provides ample, shadow-free reading light - even when the bed-back is fully elevated.



Nurse/Chart Light

A unique design that allows the patient to rest peacefully while providing staff with a focused beam of light on both sides of the bed. (Light pattern on wall is un-retouched)

ALS0301



Integral Electrical Cabinet

Installation and servicing are greatly simplified by this exclusive feature which houses all ballasts, relays and other electrical gear. It is fully room-side accessible and no tools are required to open.



Hinged Lamp Diffusers*

Re-lamping takes only seconds with no tools required. Swing-open diffusers can't fall off and are easily re-latched.

Optional Sani-Shield Cover *

A triple gasketed clear acrylic lens in a hinged frame door fully seals the fixture against dust, insects and other health hazards while minimizing cleaning requirements.

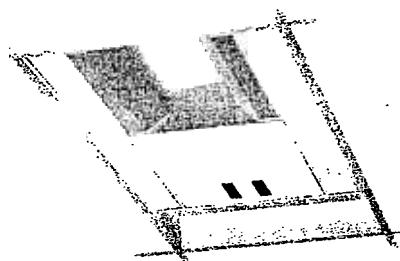
* When the Sani-Shield option is specified, hook-on lamps diffusers are substituted for hinged, swing open diffusers. The physical appearances of both are identical.

Features

The MULTMED is engineered to minimize both installation and maintenance.



2X4 Model "A" 3-Mode
(no nurse light)



2X4 Model "B" 4-Mode
(with nurse light)

2X4 Models

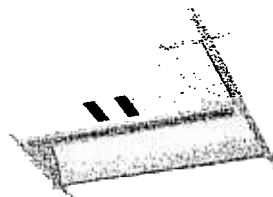
For new construction, or where existing ceilings will permit, MULTMED 2x4 models provide maximum performance with economical cost.



2X2 Model "D"
Reading + Ambient



2X2 Model "E"
Examination + Ambient



2X2 Model "F"
Reading + Nurse Light
+ Aux. Wiring Cabinet

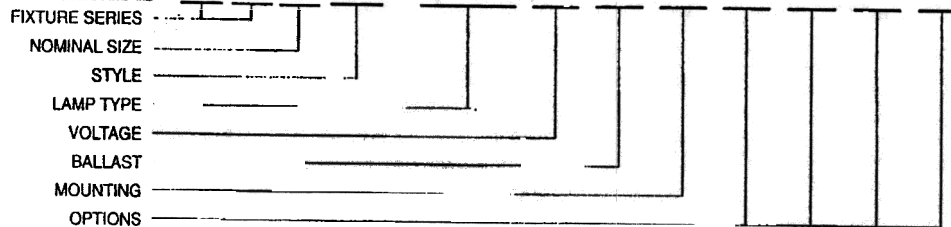
2X2 Models

Ideal where existing ceilings conditions preclude the use of 2X4 units or where a custom configuration is desired. MULTMED 2X2's can be combined with other 2' by 2' or 2' by 4' lay-in fixture to meet the specific needs of the application or budget.

5 1/4"

**Shallow Profile**

At a mere 5-1/4" in height, MULTIMED is more compact than any other recessed bedlight available. This makes it the ideal choice wherever cramped ceiling plenums are in issue. Side entry wiring is also possible.

Ordering Key - 2X4 MODELS**M T 2****FIXTURE SERIES****MT** (MUL-T-MED PATIENT BEDLIGHT)**NOMINAL SIZE****2** 2x4**STYLE****A** 3-MODE (NO NURSE LIGHT)**B** 4-MODE**LAMP TYPE****730** (7)F39BX (Style A only)**731** (7)F39BX and (1)PL7 NURSE LIGHT (Style B only)**VOLTAGE****1** 120 VOLT**2** 277 VOLT**9** SPECIAL***BALLAST****E** ELECTRONIC (Standard)
(Except PL7 Nurse Light)**9** SPECIAL***MOUNTING****1** GRID CEILING MOUNT(Standard)**2** SURFACE MOUNT KIT**3** PLASTER FRAME KIT**9** SPECIAL***OPTIONS****B** EMERGENCY BATTERY PACK
(Ambient Section Only)**F** FUSING (HLR/GLR STANDARD)
(Consult Factory)**THD** LESS THAN 10% THD BALLASTS
(Consult Factory)**SW** LOW VOLTAGE SWITCHING
OPTIONS (Consult Factory)**SS** SANI-SHIELD COVER**9** SPECIAL (Specify)*

* Consult factory prior to specification.

Ordering Key - 2X2 MODELS**M T 1****FIXTURE SERIES****MT** (MUL-T-MED PATIENT BEDLIGHT)**NOMINAL SIZE****1** 2x2**STYLE****D** 2-MODE -AMBIENT & READING**E** 2-MODE -AMBIENT & EXAM**F** 2-MODE -READING, NURSE LIGHT
& AUX. ELEC. COMPARTMENT**LAMP TYPE****330** (3)F39BX (Style D)**340** (3)F40BX (Style D)**350** (3)F55BX (Style D)**430** (4)F39BX (Style E)**440** (4)F40BX (Style E)**450** (4)F55BX (Style E)**630** (6)F39BX (Style E)**640** (6)F40BX (Style E)**650** (6)F55BX (Style E)**130** (1)F39BX AND

(1)PL7 NURSE LIGHT(Style F)

140 (1)F40BX AND

(1)PL7 NURSE LIGHT(Style F)

150 (1)F55BX AND

(1)PL7 NURSE LIGHT(Style F)

999 SPECIAL*(Consult Factory)**VOLTAGE****1** 120 VOLT**2** 277 VOLT**9** SPECIAL***BALLAST****E** ELECTRONIC (Standard)
(Except PL7 Nurse Light)**9** SPECIAL***MOUNTING****1** GRID CEILING MOUNT(Standard)**2** SURFACE MOUNT KIT**3** PLASTER FRAME KIT**9** SPECIAL***OPTIONS****B** EMERGENCY BATTERY PACK
(Ambient Section Only)**F** FUSING (HLR/GLR STANDARD)
(Consult Factory)**THD** LESS THAN 10% THD BALLASTS
(Consult Factory)**SW** LOW VOLTAGE SWITCHING
OPTIONS (Consult Factory)**SS** SANI-SHIELD COVER**9** SPECIAL (Specify)*

* Consult factory prior to specification.

CONSULT INDIVIDUAL PRODUCT SHEETS FOR COMPLETE PRODUCT SPECIFICATIONS AND PHOTOMETRIC INFORMATION

Patents Pending

www.alslights.com
**ARCHITECTURAL
LIGHTING
SYSTEMS**

 30 Sherwood Drive
Taunton, MA 02780
Tel. (508) 823-8277
Fax (508) 822-6787

Arch Lighting Group Inc, 2022

A DIVISION OF ARCH LIGHTING GROUP INC.

ALS0303

EXHIBIT 2-B

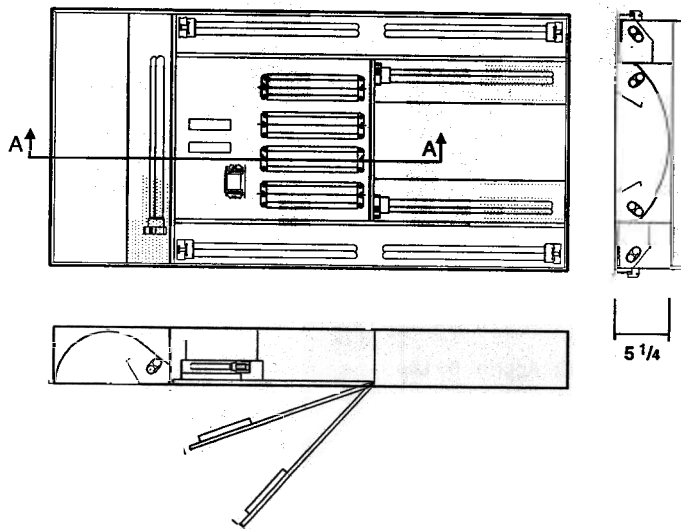
MULTMED™**PATIENT BED LIGHT - 2x4****ALS****MT2A
MT2B**

JOB NAME: _____

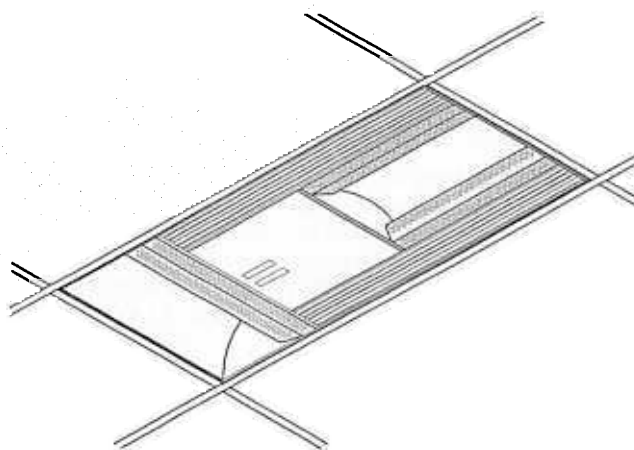
FIXTURE TYPE: _____

*NOTE: THIS INFORMATION REQUIRED FOR ORDER PROCESSING

PLAN VIEW (2x4)



SECTION VIEW A-A



PERSPECTIVE VIEW

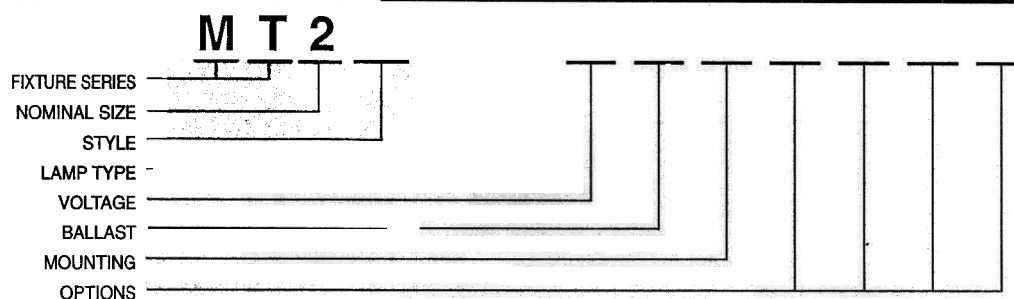
APPLICATIONS

The Mul-T-Med brings a new dimension of performance, versatility and styling to ceiling mounted patient bed lighting. Four high-performance functions including examination, reading, ambient and night/chart lighting are all incorporated into a single unit that mounts unobtrusively over the bed, leaving valuable head-wall space available for other equipment.

The Mul-T-Med is designed to minimize installation and service time.

All models utilize a single lamp type (excluding night light), all lamps are easily accessed with one-touch diffuser removals, and all ballasts and switching gear are accessible from the room side within a single centrally located electrical compartment.

The Mul-T-Med system includes numerous configurations in both 2x2 and 2x4 sizes to suit virtually any application.

ORDERING KEY**ALS0304**

* Consult factory prior to specification.

FIXTURE SERIES

MT (MUL-T-MED PATIENT BEDLIGHT)

NOMINAL SIZE

2 2x4

STYLE

A 3-MODE NO (NURSE LIGHT)
B 4-MODE

LAMP TYPE

730 (7)F39BX (Style A only)
731 (7)F39BX and (1)PL7 NURSE LIGHT
(Style B only)

VOLTAGE

1 120 V
2 277 V
9 SPECIAL*

BALLAST

E ELECTRONIC (Standard)
EXCEPT PL7 NURSE LIGHT
9 SPECIAL*

MOUNTING

1 GRID CEILING MOUNT (Standard)
2 SURFACE MOUNT KIT
3 PLASTER FRAME KIT
9 SPECIAL*

OPTIONS

B EMERGENCY BATTERY PACK
(Ambient Section Only)
F FUSING (HLR/GLR STANDARD)
(Consult Factory)
THD LESS 10% THD BALLASTS
(Consult Factory)
SW LOW VOLTAGE SWITCHING OPTIONS
(Consult Factory)
SS SANI-SHIELD ACRYLIC COVER
9 SPECIAL (Specify)*

Product refinement is a continuous endeavor at ALS. Therefore, ALS reserves the right to change fixture specifications. Consult factory for latest product information.

MULTMED™**PATIENT BED LIGHT - 2x4****ALS****MT2A
MT2B****SPECIFICATIONS**

CONSTRUCTION: Housing to be fabricated from die-formed 20 gauge C.R.S. Reflectors are fabricated using .020" aluminum finished with a high-reflectance matte white pre-coat polyester paint. Perforated diffusers with Mylar overlays are hinged for easy re-lamping and open/close with one-touch operation. Acrylic diffusers are clear extruded virgin acrylic with asymmetric linear prismatic pattern designed for optimum lighting distribution on bed. All electrical components are housed in a centrally located wiring compartment that is accessible from the room side with no tools required.

MOUNTING: Fixtures can be specified for installation into a standard lay-in ceiling (supplemental support in accordance with local and national codes is the responsibility of the installer) or flanged for installation into a drywall (or similar) ceiling. An optional surface mount box kit is also available. T-bar clips are integral to the housing. Consult factory for installation into other ceiling types. All mounting hardware to be provided by others.

ELECTRICAL: Fixtures are wired for operation of 39Watt Biaxial lamps (by others). Models incorporating a nurse/chart light utilize a PL-7 lamp (by others). All ballasts are electronic type with voltage as specified (PL ballasts are magnetic). All ballasts are UL/cUL listed. Other ballasts and switching are available as options.

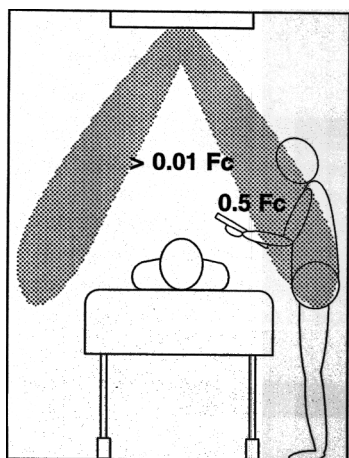
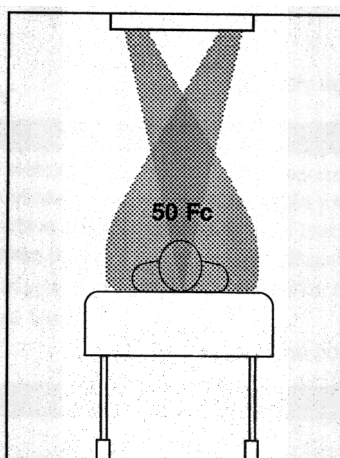
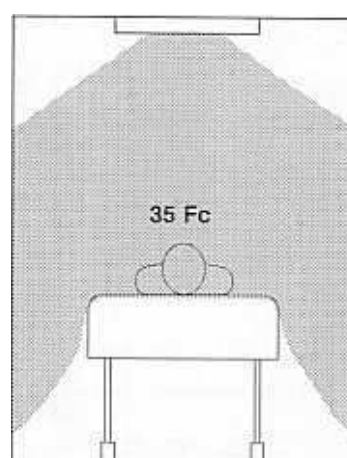
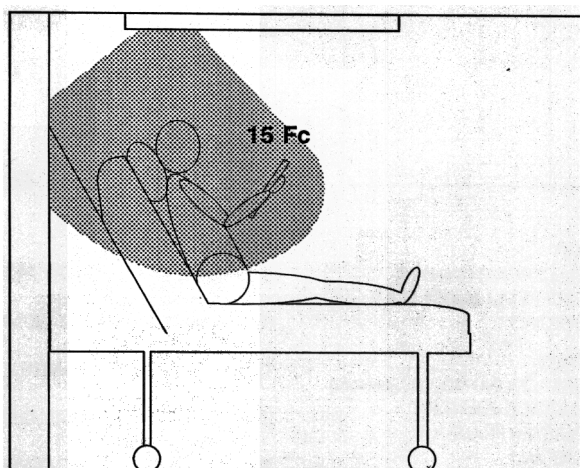
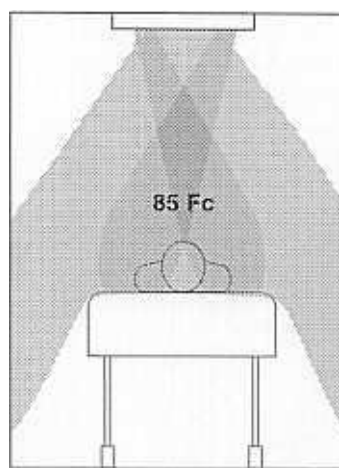
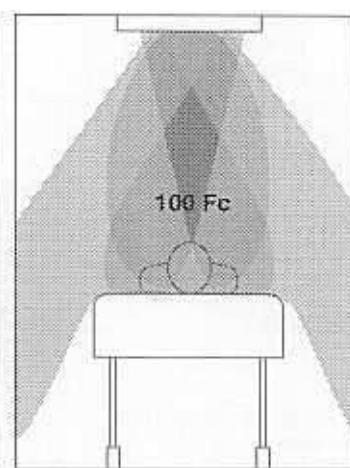
CERTIFICATION:

All units are UL/cUL listed.

FINISH:

All housings are finished with a baked white polyester powder-coat. Custom finishes are available on special order. Consult factory.

WEIGHT: Approx. 60 Lbs.

PHOTOMETRY**NURSE/CHART LIGHT****EXAM LIGHT****AMBIENT LIGHT****READING LIGHT****AMBIENT + EXAM LIGHT****AMBIENT + EXAM
+ READING LIGHT**

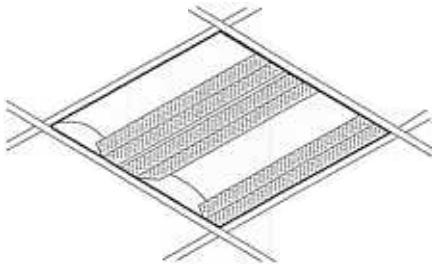
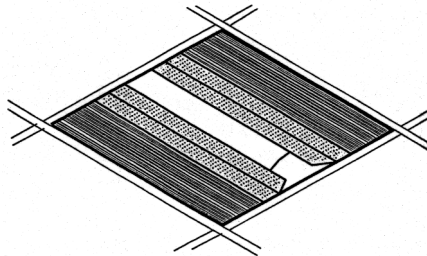
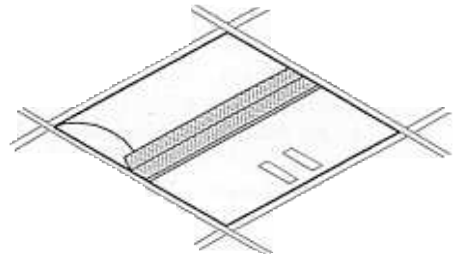
ALS0305

EXHIBIT 2-C

MULTMED™**PATIENT BED LIGHT - 2x2****ALS****MT1D
MT1E
MT1F**

JOB NAME: _____

FIXTURE TYPE: _____

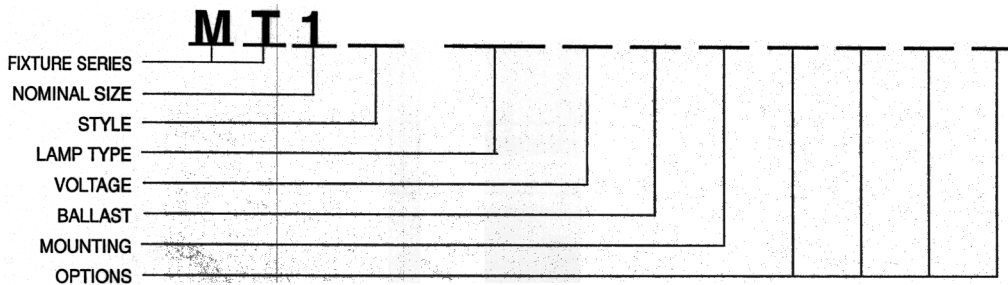
NOTE: THIS INFORMATION REQUIRED FOR ORDER PROCESSING****STYLE D - PERSPECTIVE VIEW*READING + AMBIENT LIGHT****STYLE E - PERSPECTIVE VIEW****EXAMINATION + AMBIENT LIGHTS****STYLE F - PERSPECTIVE VIEW****READING + NURSE LIGHTS
+ AUX. WIRING COMPARTMENT****APPLICATIONS**

The Mul-T-Med brings a new dimension of performance, versatility and styling to ceiling mounted patient bed lighting. Up to four high-performance functions including examination, reading, ambient and night/chart lighting can be incorporated into a single unit that mounts unobtrusively over the bed, leaving valuable head-wall space available for other equipment.

The Mul-T-Med is designed to minimize installation and service time.

All models utilize a single lamp type (excluding night light), all lamps are easily accessed with one-touch diffuser removals, and several models include an auxiliary wiring compartment where all ballasts and switching gear are accessible from the room side within a single centrally located electrical compartment.

The Mul-T-Med system includes numerous configurations in both 2x2 and 2x4 sizes to suit virtually any application.

ORDERING KEY*** Consult factory prior to specification.****FIXTURE SERIES**

MT (MUL-T-MED PATIENT BEDLIGHT)

NOMINAL SIZE

1 2x2

STYLE

D 2-MODE -AMBIENT & READING
E 2-MODE -AMBIENT & EXAM
F 2-MODE -READING, NURSE LIGHT
& AUX. WIRING COMPARTMENT

LAMP TYPE

330 (3)F39BX (Style D)
340 (3)F40BX (Style D)
350 (3)F55BX (Style D)
430 (4)F39BX (Style E)
440 (4)F40BX (Style E)
450 (4)F55BX (Style E)
630 (6)F39BX (Style E)
640 (6)F40BX (Style E)
650 (6)F55BX (Style E)
131 (1)F39BX AND (1)PL7 NURSE
LIGHT (Style F)
141 (1)F40BX AND (1)PL7 NURSE
LIGHT (Style F)
151 (1)F55BX AND (1)PL7 NURSE
LIGHT (Style F)
999 SPECIAL*(Consult Factory)

VOLTAGE

1 120 V
2 277 V
9 SPECIAL*

BALLAST

E ELECTRONIC (Standard)
EXCEPT PL7 NURSE LIGHT
9 SPECIAL*

MOUNTING

1 GRID CEILING MOUNT(Standard)
2 SURFACE MOUNT KIT
3 PLASTER FRAME KIT
9 SPECIAL*

OPTIONS

B EMERGENCY BATTERY PACK
(Ambient Section Only)
F FUSING (HLR/GLR STANDARD)
(Consult Factory)
THD LESS 10% THD BALLASTS
(Consult Factory)
SW LOW VOLTAGE SWITCHING OPTIONS
(Consult Factory)
SS SANI-SHIELD ACRYLIC COVER
9 SPECIAL (Specify)*

ALS0306

Product refinement is a continuous endeavor at ALS. Therefore, ALS reserves the right to change fixture specifications. Consult factory for latest product information.

MULTMED™**PATIENT BED LIGHT - 2x2****ALS****MT1D
MT1E
MT1F****SPECIFICATIONS**

CONSTRUCTION: Housing to be fabricated from die-formed 20 gauge C.R.S. Reflectors are fabricated using .020" aluminum finished with a high-reflectance matte white pre-coat polyester paint. Perforated diffusers with Mylar overlays are hinged for easy re-lamping and open/close with one-touch operation. Acrylic diffusers (where applicable) are clear extruded virgin acrylic with asymmetric linear prismatic pattern designed for optimum lighting distribution on bed. All electrical components are housed in a centrally located wiring compartment that is accessible from the room side with no tools required. (models with aux. wiring compartment only)

MOUNTING: Fixtures can be specified for installation into a standard lay-in ceiling (supplemental support in accordance with local and national codes is the responsibility of the installer) or flanged for installation into a drywall (or similar) ceiling. An optional surface mount box kit is also available. T-bar clips are integral to the hous-

ing. Consult factory for installation into other ceiling types. All mounting hardware to be provided by others.

ELECTRICAL: Fixtures are wired for operation of Bi axial lamps (by others). Models incorporating a nurse/chart light utilize a PL-7 lamp (by others). All ballasts are electronic type with voltage as specified (PL ballasts are magnetic). All ballasts are UL/cUL listed. Other ballasts and switching are available as options.

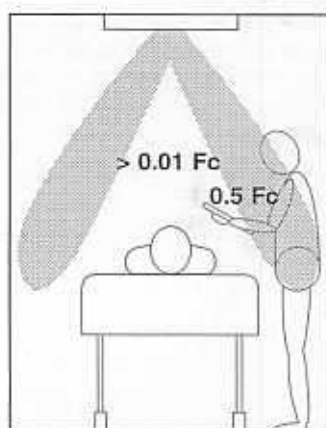
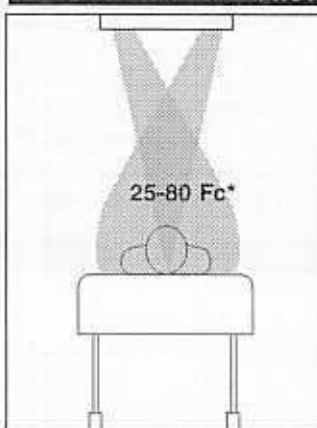
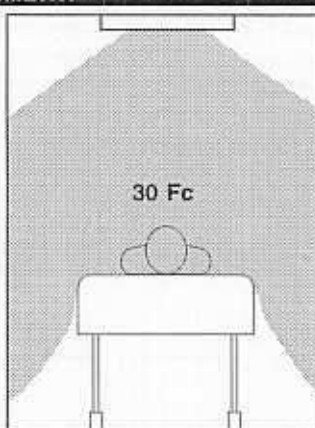
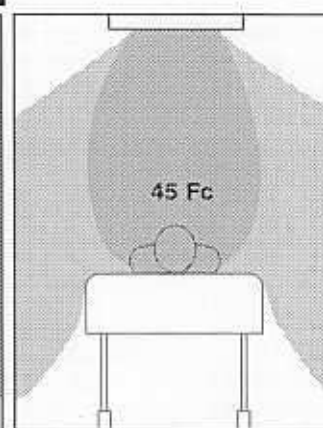
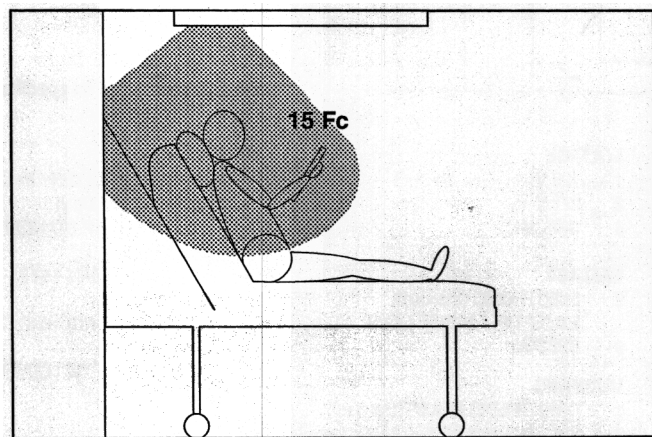
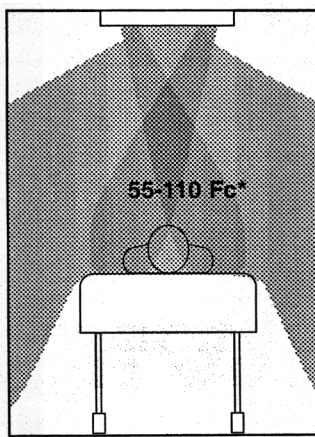
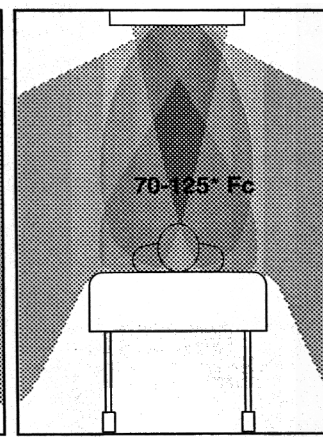
CERTIFICATION:

All units are UL/cUL listed.

FINISH:

All housings are finished with a baked white polyester powder-coat. Custom finishes are available on special order. Consult factory.

WEIGHT: Approx. 35 Lbs.

PHOTOMETRY**NURSE/CHART LIGHT****EXAM LIGHT****AMBIENT LIGHT****AMBIENT LIGHT
+ READING LIGHT****READING LIGHT****AMBIENT + EXAM LIGHT****AMBIENT + EXAM
+ READING LIGHT**

* Depending on lamp combination specified for examination light.

ALS0307

EXHIBIT 2-D

LAW OFFICES

SALTER & MICHAELSON

PATENTS, TRADEMARKS & COPYRIGHTS
THE HERITAGE BUILDING
321 SOUTH MAIN STREET
PROVIDENCE, RHODE ISLAND 02903-7128

ELLIOT A. SALTER

ROBERT S. SALTER*

MICHELE J. YOUNG*

*ADMITTED IN MA ONLY

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e-mail: esalter@saltermichaelson.com

November 8, 2004

via facsimile 502.561.0442
confirmation copy mailed

COPY

Total pages: 4

James R. Higgins, Jr., Esq.
Middleton & Reutlinger
2500 Brown & Williamson Tower
Louisville, KY 40202-3410

Re: **Genlyte Thomas Group - Lightolier Division and Arch Lighting Group**
U.S. Patent #5,038,254

Dear Mr. Higgins:

The broadest claim in the '254 patent is claim 1 which includes the following recitations:

- " a first light fixture within said body oriented to direct light downwardly to a selected reading area under said body;
- " a second light fixture within said body oriented to direct light downwardly and outwardly to a vertical wall surface outwardly adjacent from said body whereby light is reflected back to a broad area under said body ".

It is therefore obvious that to infringe claim 1, and hence any of the claims of the '254 patent, it is essential that there be "a second light fixture within said body oriented to direct light downwardly and outwardly to a vertical wall surface outwardly adjacent from said body whereby light is reflected back to a broad area under said body." No such "second light fixture" exists in our client's Mul-T-Med system.

Specifically, your attention is directed to the enclosed illustrations. Our client's "Reading Light" has only a single lamp, and hence obviously is outside the scope of claim 1. It will be further noted that the single lamp in our client's "Reading Light" system is not directed to bounce off an adjacent wall. Quite to the contrary, the light bounces off an internal reflector and then is directed directly over the patient's shoulder.

ALS0378

James R. Higgins, Jr., Esq.
Page 2
November 8, 2004

While our client's "Ambient Lighting" system does have two lamps, here again the light from both lamps bounces off an internal reflector located thereabove, and the light beam then goes directly toward the bed. No light is directed towards the wall in this system, nor in any other Mul-T-Med system.

It is therefore our opinion that our client's Mul-T-Med system does not infringe the scope or spirit of the '254 patent, and we have so advised them. In view of the information we have now provided, we suggest that you may wish to reconsider your position that the '254 patent is infringed by our client's Mul-T-Med system. If you continue to feel that infringement exists, we would ask that you explain to us the basis on which you continue to allege infringement.

Yours very truly,
SALTER & MICHAELSON

A handwritten signature in dark ink, appearing to read "Elliot A. Salter", is written over the printed name and firm name.

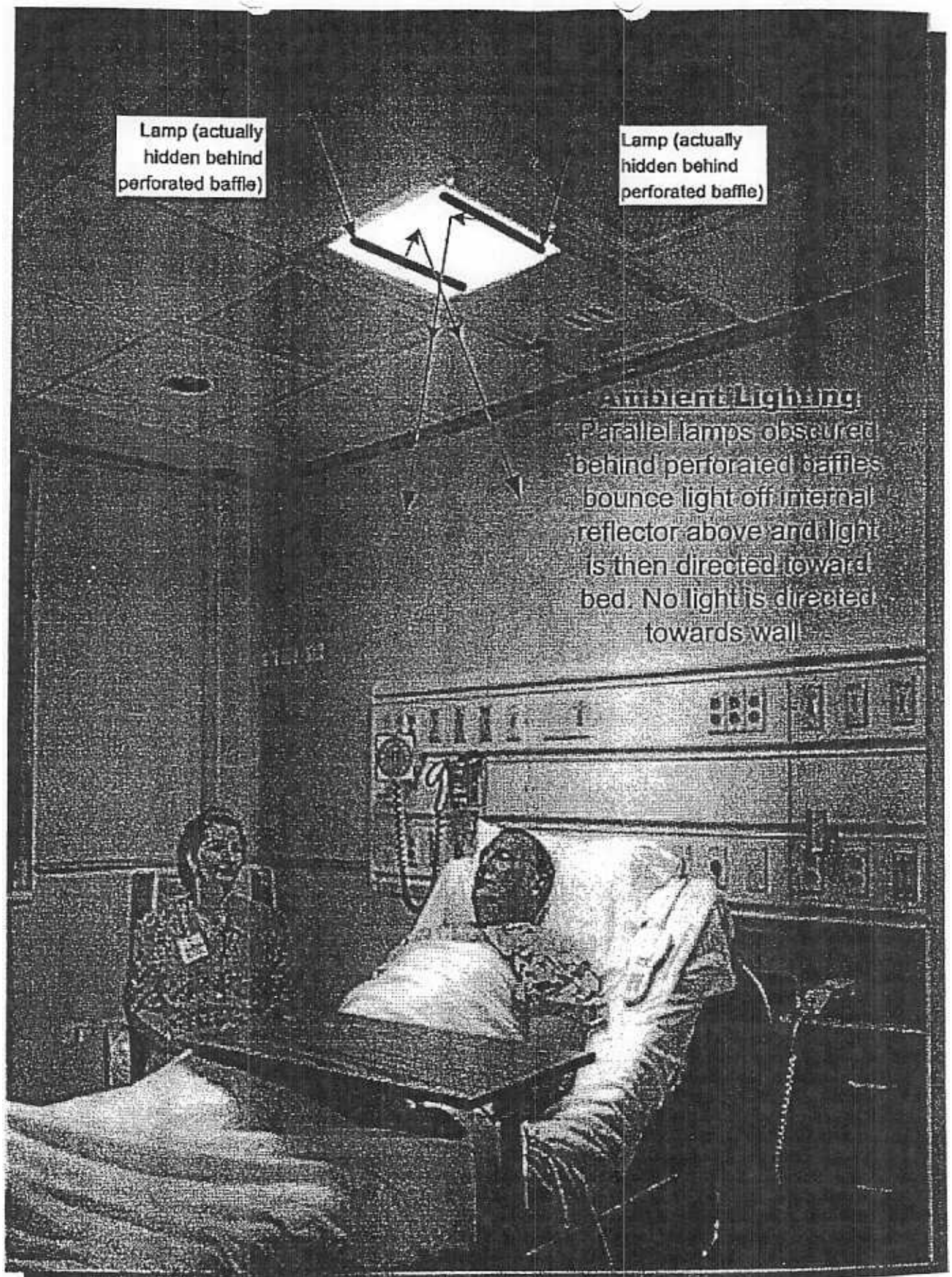
Elliot A. Salter

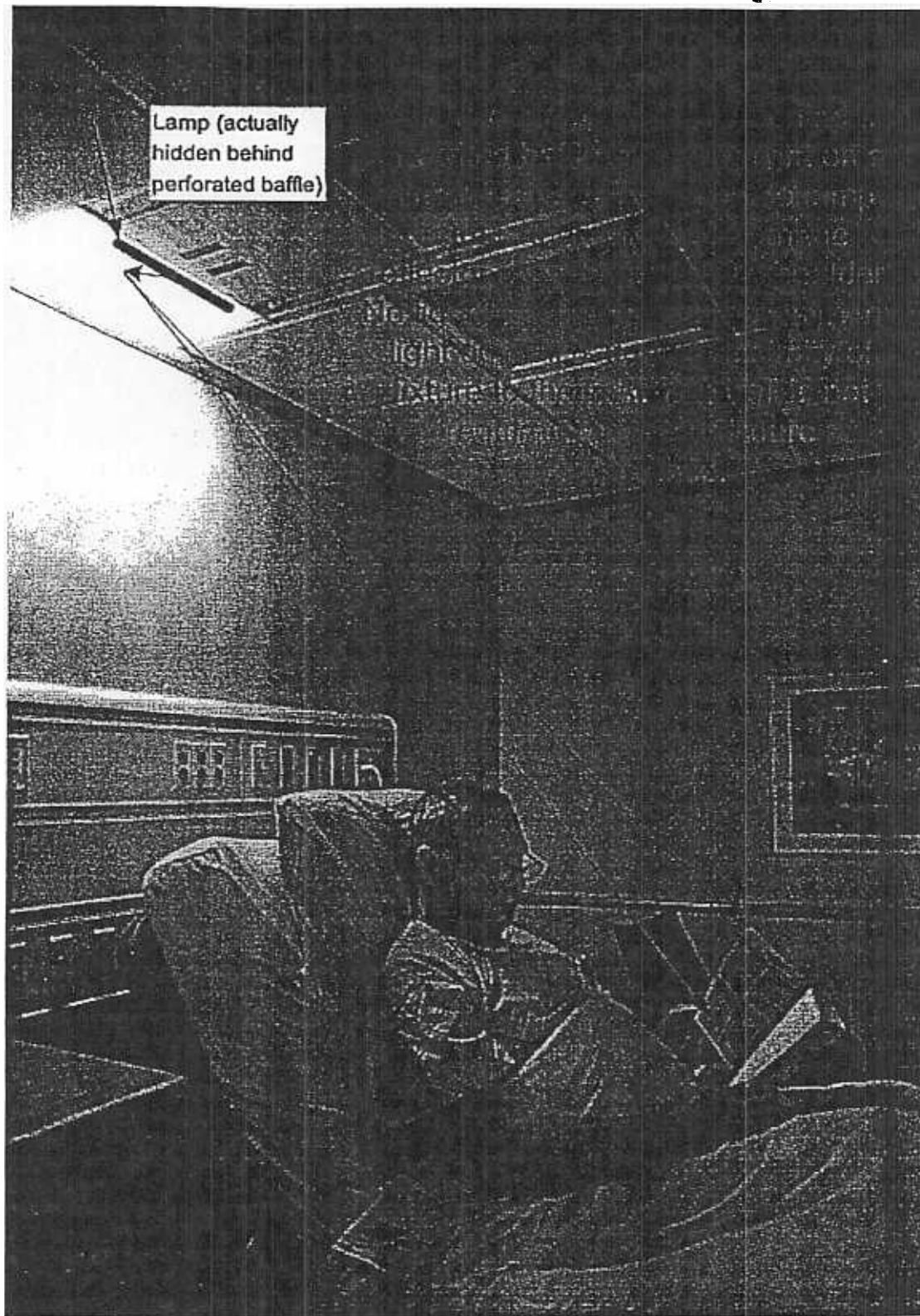
eas:gk

enc.

cc : Arch Lighting Group Inc.

ALS0379





READING LIGHT

A single lamp, obscured behind a perforated baffle, bounces light off an internal reflector, adjacent to lamp. Light is then directed from the reflector over the patient's shoulder. No light is directed towards wall. Any light on wall is due to proximity of fixture to the wall. The wall is not required for proper fixture performance.

EXHIBIT 2-E

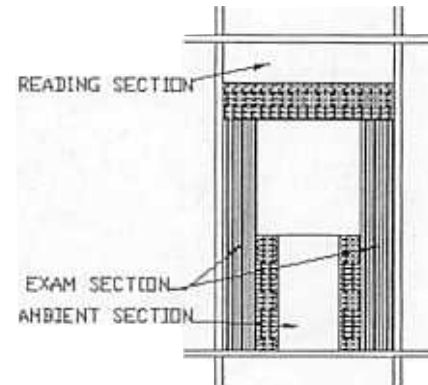


45 Industrial Way
Wilmington, MA 01887
(978) 657-7600

REPORT NUMBER: G2005043
CATALOG NUMBER: MT2-MEDI-READING-1/39W
LAMP: SYLVANIA FT36DL/835
LUMINAIRE: ARCHITECTURAL LIGHTING SYSTEMS MEDI LIGHT/READING PORTION
BALLAST: SAGE LIGHTING-NXU240RS
32.0 WATTS
REPORT IS BASED ON 2900 LUMENS PER LAMP.

DATE: 02-11-2005

CANDELA DISTRIBUTION						FLUX
	0.0	22.5	45.0	67.5	90.0	
0	516	516	516	516	516	
5	508	509	510	515	518	49
15	487	488	488	493	496	138
25	452	452	449	450	453	208
35	404	401	395	388	390	248
45	345	341	329	314	312	253
55	274	269	253	229	219	223
65	183	180	168	139	128	159
75	81	77	76	63	55	76
85	19	18	14	10	9	16
90	1	1	1	1	1	

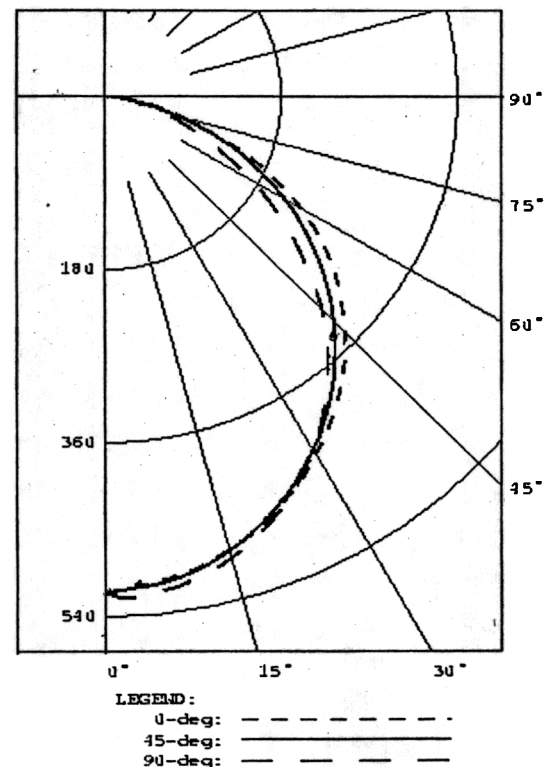


ZONAL LUMEN SUMMARY			
ZONE	LUMENS	%LAMP	%FIXT
0- 30	395	13.6	28.8
0- 40	643	22.2	46.9
0- 60	1119	38.6	81.7
0- 90	1370	47.2	100.0
90-180	0	0.0	0.0
0-180	1370	47.2	100.0

TOTAL LUMINAIRE EFFICIENCY = 47.2 %

CIE TYPE - DIRECT
PLANE : 0-DEG 90-DEG
SPACING CRITERIA : 1.2 1.2
SHIELDING ANGLES : 90 90
PLANE : 0-DEG 90-DEG
LUMINOUS LENGTH : 10.200 22.920

LUMINANCE DATA IN CANDELA/SQ METER			
ANGLE	AVERAGE	AVERAGE	AVERAGE
IN DEG	0-DEG	45-DEG	90-DEG
45	3234.	3084.	2924.
55	3166.	2923.	2531.
65	2870.	2635.	2007.
75	2074.	1946.	1408.
85	1445.	1065.	684.



Checked _____
Approved _____



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REPORT NUMBER: G2005043
CATALOG NUMBER: MT2-MEDI-READING-1/39W

DATE: 02-11-2005

CANDELA DISTRIBUTION

	0.0	22.5	45.0	67.5	90.0
0.0	516	516	516	516	516
2.5	509	510	512	519	521
5.0	508	509	510	515	518
7.5	504	506	507	510	515
10.0	500	502	502	506	510
12.5	494	495	496	500	504
15.0	487	488	488	493	496
17.5	480	481	480	484	487
20.0	472	472	470	474	477
22.5	463	462	460	462	466
25.0	452	452	449	450	453
27.5	442	440	436	436	439
30.0	429	428	424	421	424
32.5	417	415	410	405	407
35.0	404	401	395	388	390
37.5	391	388	380	371	372
40.0	376	372	363	353	353
42.5	362	358	346	333	334
45.0	345	341	329	314	312
47.5	328	324	311	294	289
50.0	312	306	292	272	266
52.5	293	288	273	251	243
55.0	274	269	253	229	219
57.5	253	248	233	206	196
60.0	231	226	212	183	172
62.5	208	204	190	161	149
65.0	183	180	168	139	128
67.5	157	156	147	119	108
70.0	127	128	124	100	89
72.5	99	98	101	81	71
75.0	81	77	76	63	55
77.5	63	60	52	45	41
80.0	47	44	37	30	29
82.5	32	30	24	18	18
85.0	19	18	14	10	9
87.5	7	6	5	4	3
90.0	1	1	1	1	1



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REPORT NUMBER: G2005043
CATALOG NUMBER: MT2-MEDI-READING-1/39W

DATE: 02-11-2005

ZONAL LUMEN SUMMARY

0- 5	12.
5- 10	36.
10- 15	59.
15- 20	79.
20- 25	97.
25- 30	111.
30- 35	121.
35- 40	127.
40- 45	128.
45- 50	125.
50- 55	117.
55- 60	105.
60- 65	89.
65- 70	70.
70- 75	48.
75- 80	28.
80- 85	13.
85- 90	3.



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REPORT NUMBER: G2005043

DATE: 02-11-2005

CATALOG NUMBER: MT2-MEDI-READING-1/39W

COEFFICIENTS OF UTILIZATION - ZONAL CAVITY METHOD

EFFECTIVE FLOOR CAVITY REFLECTANCE 0.20

RC	80				70				50			30			10			0
RW	70	50	30	10	70	50	30	10	50	30	10	50	30	10	50	30	10	0
0	56	56	56	56	55	55	55	55	52	52	52	50	50	50	48	48	48	47
1	52	49	48	46	50	48	47	45	46	45	44	45	43	42	43	42	41	40
2	47	43	40	38	46	42	40	37	41	38	36	39	37	35	38	36	35	34
3	43	38	34	31	42	37	34	31	36	33	31	35	32	30	34	31	30	29
4	39	34	30	27	38	33	29	27	32	29	26	31	28	26	30	27	25	24
5	36	30	26	23	35	30	26	23	29	25	23	28	25	22	27	24	22	21
6	34	27	23	20	33	27	23	20	26	22	20	25	22	20	24	22	20	19
7	31	25	21	18	30	24	21	18	24	20	18	23	20	17	22	20	17	16
8	29	23	19	16	28	22	18	16	22	18	16	21	18	16	21	18	16	15
9	27	21	17	14	26	20	17	14	20	17	14	19	16	14	19	16	14	13
10	25	19	15	13	25	19	15	13	18	15	13	18	15	13	18	15	13	12

ALL CANDELA, LUMENS, LUMINANCE, COEFFICIENT OF UTILIZATION AND VCP VALUES IN THIS REPORT ARE BASED ON RELATIVE PHOTOMETRY WHICH ASSUMES A BALLAST FACTOR OF 1.000. ANY CALCULATIONS PREPARED FROM THESE DATA SHOULD INCLUDE AN APPROPRIATE BALLAST FACTOR.



45 Industrial Way
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(978) 657-7600

REPORT NUMBER: G2005043
CATALOG NUMBER: MT2-MEDI-READING-1/39W

DATE: 02-11-2005

VISUAL COMFORT PROBABILITY TABLE

RATED LUMENS PER LAMP 2900.

100. FC. ROOM		REFLECTANCES 80/50/20 LUMINAIRES 0 DEG PLANE				LUMINAIRES 90 DEG PLANE			
W	L	8.5	10.0	13.0	16.0	8.5	10.0	13.0	16.0
20	20	57	61	72	83	62	67	76	85
20	30	53	55	59	69	60	62	67	74
20	40	51	53	55	60	60	60	63	68
20	60	50	52	52	56	60	61	62	64
30	20	59	63	71	81	63	66	73	82
30	30	55	56	58	67	60	61	64	71
30	40	53	53	54	58	60	59	60	64
30	60	51	52	51	54	60	59	59	61
30	80	51	51	50	52	61	61	59	60
40	20	62	65	71	80	65	68	73	81
40	30	57	58	59	66	62	62	63	70
40	40	55	55	54	58	61	60	60	63
40	60	53	53	51	53	61	60	58	59
40	80	53	52	50	51	62	61	58	59
40	100	53	52	49	50	63	62	59	59
60	30	60	61	61	67	63	64	64	69
60	40	57	57	55	58	62	61	60	62
60	60	55	54	52	53	62	61	58	58
60	80	54	53	50	51	63	61	58	58
60	100	54	53	50	50	64	62	58	58
100	40	62	62	60	62	66	65	62	64
100	60	60	59	55	56	65	63	60	60
100	80	58	57	53	54	65	63	59	59
100	100	58	56	52	52	66	64	60	58

EXHIBIT 2-F



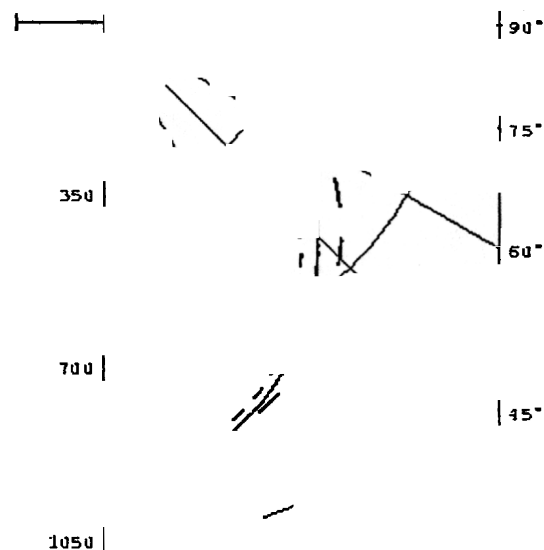
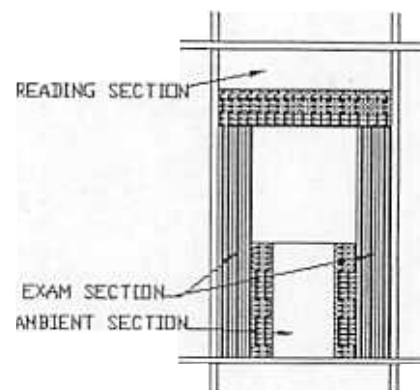
45 Industrial Way
Wilmington, MA 01867
(978) 657-7600

CANDELA DISTRIBUTION						FLUX
	0.0	22.5	45.0	67.5	90	
0	913	913	913	913	9	
5	906	907	909	911	9	87
15	867	870	883	885	8	248
25	792	804	812	822	8	375
35	685	696	717	744	7	451
45	548	564	608	652	6	470
55	393	421	486	547	5	432
65	243	275	351	410	4	340
75	121	139	188	219	2	185
85	19	21	27	35		32
90	0	0	0	0		

ZONAL LUMEN SUMMARY			
ZONE	LUMENS	%LAMP	%FIXT
0- 30	710	12.2	27.1
0- 40	1160	20.0	44.3
0- 60	2063	35.6	78.7
0- 90	2620	45.2	100.0
90-180	0	0.0	0.0
0-180	2620	45.2	100.0

TOTAL LUMINAIRE EFFICIENCY = 45.2 %

CIE TYPE - DIRECT
 PLANE : 0-DEG 90-DEG
 SPACING CRITERIA : 1.2 1.3
 SHIELDING ANGLES : 90 90
 PLANE : 0-DEG 90-DEG
 LUMINOUS LENGTH : 22.920 17.400



0° 15° 30°
 LEGEND:
 0-deg: -----
 45-deg: -----
 90-deg: -----

Checked _____
 Approved _____



45 Industrial Way
Wilmington, MA 01887
(978) 657-7600

REPORT NUMBER: G2005044
CATALOG NUMBER: MT2-39W MEDI-AMBIENT

DATE: 02-14-2005

CANDELA DISTRIBUTION

	0.0	22.5	45.0	67.5	90.0
0.0	913	913	913	913	913
2.5	909	911	913	914	917
5.0	906	907	909	911	915
7.5	899	901	904	909	914
10.0	891	893	900	907	911
12.5	880	883	894	898	900
15.0	867	870	883	885	888
17.5	851	856	868	872	875
20.0	833	841	851	856	862
22.5	814	824	833	840	846
25.0	792	804	812	822	830
27.5	768	780	790	805	813
30.0	742	754	766	785	795
32.5	714	727	743	765	777
35.0	685	696	717	744	757
37.5	653	666	691	722	737
40.0	619	633	665	699	716
42.5	585	600	637	676	694
45.0	548	564	608	652	671
47.5	510	529	579	627	648
50.0	473	493	549	601	623
52.5	432	457	517	577	597
55.0	393	421	486	546	570
57.5	354	385	454	513	538
60.0	315	348	421	487	504
62.5	279	310	388	440	470
65.0	243	275	351	412	433
67.5	212	241	313	370	395
70.0	180	207	273	330	350
72.5	150	173	232	289	295
75.0	121	139	188	213	223
77.5	90	104	137	149	139
80.0	61	70	84	89	93
82.5	37	41	47	55	64
85.0	19	21	27	30	37
87.5	7	8	9	10	11
90.0	0	0	0		0



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(978) 657-7600

REPORT NUMBER: G2005044
CATALOG NUMBER: MT2-39W MEDI-AMBIENT

DATE: 02-14-2005

ZONAL LUMEN SUMMARY

0- 5	22.
5- 10	65.
10- 15	106.
15- 20	143.
20- 25	174.
25- 30	200.
30- 35	219.
35- 40	231.
40- 45	236.
45- 50	234.
50- 55	224.
55- 60	208.
60- 65	185.
65- 70	156.
70- 75	119.
75- 80	67.
80- 85	27.
85- 90	5.



45 Industrial Way
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(978) 657-7600

REPORT NUMBER: G2005044

DATE: 02-14-2005

CATALOG NUMBER: MT2-39W MEDI-AMBIENT

COEFFICIENTS OF UTILIZATION - ZONAL CAVITY METHOD

EFFECTIVE FLOOR CAVITY REFLECTANCE 0.20

RC	80				70				50			30			10			0
RW	70	50	30	10	70	50	30	10	50	30	10	50	30	10	50	30	10	0
0	54	54	54	54	53	53	53	53	50	50	50	48	48	48	46	46	46	45
1	49	47	45	43	48	46	44	43	44	43	41	42	41	40	41	40	39	38
2	45	41	38	35	43	40	37	35	38	36	34	37	35	33	36	34	32	31
3	41	36	32	29	40	35	32	29	34	31	28	33	30	28	31	29	27	26
4	37	32	28	25	36	31	27	24	30	27	24	29	26	24	28	26	23	23
5	34	28	24	21	33	28	24	21	27	23	21	26	23	21	25	22	20	19
6	32	25	21	18	31	25	21	18	24	21	18	23	20	18	23	20	18	17
7	29	23	19	16	28	23	19	16	22	19	16	21	18	16	21	18	16	15
8	27	21	17	15	26	21	17	14	20	17	14	20	17	14	19	16	14	13
9	25	19	16	13	25	19	15	13	19	15	13	18	15	13	18	15	13	12
10	24	18	14	12	23	18	14	12	17	14	12	17	14	12	16	14	12	11

ALL CANDELA, LUMENS, LUMINANCE, COEFFICIENT OF UTILIZATION AND VCP VALUES IN THIS REPORT ARE BASED ON RELATIVE PHOTOMETRY WHICH ASSUMES A BALLAST FACTOR OF 1.000. ANY CALCULATIONS PREPARED FROM THESE DATA SHOULD INCLUDE AN APPROPRIATE BALLAST FACTOR.



45 Industrial Way
Wilmington, MA 01887
(978) 657-7600

REPORT NUMBER: G2005044
CATALOG NUMBER: MT2-39W MEDI-AMBIENT

DATE: 02-14-2005

VISUAL COMFORT PROBABILITY TABLE

RATED LUMENS PER LAMP 2900

100. FC. REFLECTANCES 80/50/20
ROOM LUMINAIRES 0 DEG PLANE

LUMINAIRES 90 DEG PLANE

W	L	8.5	10.0	13.0	16.0	8.5	10.0	13.0	16.0
20	20	57	64	75	85	47	54	68	81
20	30	54	57	64	73	44	45	52	64
20	40	54	55	59	65	43	43	45	52
20	60	55	56	57	61	43	43	43	46
30	20	56	62	71	82	50	56	66	79
30	30	53	55	60	69	46	46	51	62
30	40	53	53	56	61	45	44	44	50
30	60	53	53	53	57	44	44	42	44
30	80	55	55	53	56	45	44	42	44
40	20	58	62	70	79	53	59	67	78
40	30	55	55	59	67	49	49	52	62
40	40	54	54	54	59	48	47	45	50
40	60	54	53	52	55	47	45	42	44
40	80	56	54	52	54	47	46	42	43
40	100	57	55	53	54	48	46	42	43
60	30	57	57	58	66	52	52	53	62
60	40	56	55	53	58	50	49	46	50
60	60	56	54	51	53	49	47	43	44
60	80	57	55	51	52	49	47	43	43
60	100	58	56	52	52	49	47	43	43
100	40	60	59	56	59	56	54	50	54
100	60	59	57	53	54	54	52	47	47
100	80	60	58	53	52	53	51	46	46
100	100	61	58	53	52	54	51	46	45